



AGENDA REPORT

Meeting Date: October 15, 2013

Item Number: D-5

To: Honorable Mayor and City Council

From: David Yelton, Assistant Director of Community Development/Building Official
Richard Solomon, Fire Marshal

Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION AND ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING CODE; THE 2013 CALIFORNIA RESIDENTIAL CODE; THE 2013 CALIFORNIA ELECTRICAL CODE; THE 2013 CALIFORNIA MECHANICAL CODE; THE 2013 CALIFORNIA PLUMBING CODE; THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2012 EDITION; THE UNIFORM SOLAR ENERGY CODE, 2012 EDITION; THE CALIFORNIA ENERGY CODE, 2013 EDITION; THE 2013 CALIFORNIA FIRE CODE; THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2013 CALIFORNIA HISTORICAL BUILDING CODE; THE 2013 CALIFORNIA EXISTING BUILDING CODE; THE 2013 CALIFORNIA REFERENCE STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION; THE BEVERLY HILLS PHOTOVOLTAIC INSTALLATION GUIDELINES, 2012 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND AMENDING PORTIONS OF TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

Attachment: 1. Ordinance

RECOMMENDATION

Staff recommends the City Council introduce the ordinance adopting the current editions of the California Technical Codes including local amendments, and set the public hearing on the ordinance for November 19, 2013.

INTRODUCTION

The attached Ordinance provides for the adoption of the latest edition of the California Building Standards Technical Codes (which encompasses the Building, Residential, Mechanical, Plumbing, Energy, Electrical, Fire, Historical Building, Existing Building, Reference Standards and Green Building Standards codes), re-adopts many of the City amendments currently in place, adopts the 2012 Uniform Swimming Pool, Spa & Hot Tub Code, 2012 International Property Maintenance Code, the 2012 Uniform Solar Energy Code, and 2010 Beverly Hills Solar Photovoltaic Installation Guidelines, adds additional administrative, health and safety, and seismic provisions, and deletes existing amendments addressed by the new State Codes. If adopted, the latest editions of the California Building and Fire Codes will go into effect on January 1, 2014.

The California Health and Safety Code allows cities to amend the State Code when deemed necessary and reasonable due to local climatic, geological, topographical, or environmental conditions. Local amendments must be more restrictive than the State Codes and findings for each amendment must be established and filed with the Building Standards Commission for the ordinance to be enforceable.

DISCUSSION

The California Building Standards Commission is responsible for adoption of the latest model codes every three years. The frequency of the re-adoption keeps the technical codes current with the latest health and safety standards. After review and input by various state agencies and other interested parties, public hearings are held by the Commission. The Commission ultimately adopts and publishes the selected model codes with the codes becoming effective 180 days after publication.

Absent a local ordinance amending and adopting the State Codes, the State Codes will go into effect on January 1, 2014. Therefore, if the City is to retain local amendments deemed important to the health, safety, and welfare of its residents and visitors, it is necessary to adopt the attached Ordinance.

A Resolution adopting the findings for the local amendments will be presented on November 19, 2013. This resolution and findings must be filed with the State; or local Building and Fire Code amendments will not be enforceable.

Other Code Issues

The California Residential Code regulates the building standards for one and two family dwellings, and townhomes up to three stories in height. This code has been amended at the State level and locally to conform to Beverly Hills conditions.

The adoption Ordinance includes the 2012 International Property Maintenance Code which provides additional property maintenance standards. The 2010 Beverly Hills Solar Photovoltaic Installation Guidelines and the 2012 Uniform Solar Energy Code establish standards that provide added safety for Fire Department emergency responders.

A new code amendment is proposed to the Uniform Administrative Code establishing provisions to ensure existing property code violations are resolved prior to issuing additional building permits granting the City the ability to ensure code violations are resolved. In addition, an amendment is provided to grant the City the authority to

mandate electronic plans and documentation in an effort to streamline plan review processes.

The quantity of Green Building Standards Code amendments needed for Beverly Hills have been reduced to maintain requirements for Solar Photovoltaic and Electric Vehicle Charger ready. The minimum mandatory energy efficiency standards of the 2013 Green Building Standards Code have increased and continue to progress towards meeting greenhouse gas emission levels mandated by the 2006 Assembly Bill 32 requirements known as the Global Warming Solutions Act. In addition, the State code has adopted many of the 2010 Beverly Hills amendments as the minimum standards of the 2013 Green Building Standards Code. Those amendments are as follows:

- Water efficiency conservation through reduced water usage in plumbing fixtures.
- Construction Waste Recycling of debris at a minimum 50%.
- Volatile organic compound limits on paints, adhesives, and other construction materials.

FISCAL IMPACT

The costs of code books and staff training have been incorporated within the Community Development Department's current budget with no additional financial impact anticipated to administer the new code. However, the initial cost of construction will likely rise as a result of the State mandated green building code with long-term savings expected over the life of the building.



Approved By
Ralph Mundell, Fire Chief



Approved By
Susan Healy Keene, AICP
Director of Community Development

Attachment 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION AND ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING CODE; THE 2013 CALIFORNIA RESIDENTIAL CODE; THE 2013 CALIFORNIA ELECTRICAL CODE; THE 2013 CALIFORNIA MECHANICAL CODE; THE 2013 CALIFORNIA PLUMBING CODE; THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2012 EDITION; THE UNIFORM SOLAR ENERGY CODE, 2012 EDITION; THE CALIFORNIA ENERGY CODE, 2013 EDITION; THE 2013 CALIFORNIA FIRE CODE; THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2013 CALIFORNIA HISTORICAL BUILDING CODE; THE 2013 CALIFORNIA EXISTING BUILDING CODE; THE 2013 CALIFORNIA REFERENCE STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION; THE BEVERLY HILLS PHOTOVOLTAIC INSTALLATION GUIDELINES, 2012 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND AMENDING PORTIONS OF TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Section 9-1-104 of Article 1 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby amended by the addition of Sections 302.1.1 and 302.2.9 to the Uniform Administrative Code, adopted pursuant to Section 9-1-103, as follows:

“Section 302.1.1 is hereby added to the Uniform Administrative Code to read as follows:

Section 302.1.1 Additional permit requirement; Noticed code violations.

302.1.1.1 Notwithstanding any other provision of the Beverly Hills Municipal Code to the contrary, private real property shall be free of all NOTICED CODE VIOLATIONS as an additional prerequisite for any person to be entitled to obtain a Technical Code permit from the Development Services Division (hereinafter “Division”).

(a) As used in this section, “Technical Code permit” includes all permits that are required by Title 9, Chapter 1 [Technical Codes] of the Beverly Hills Municipal Code. The singular number includes the plural and the plural includes the singular.

(b) As used in this section, “NOTICED CODE VIOLATIONS” mean all activities, conditions or uses on private real property that violate any provision of the Beverly Hills Municipal Code as described in one or more city notices (from any department or division) or final administrative citations to a prior or current owner or other responsible person, which violations the city has determined have not been fully corrected in the manner required by the Beverly Hills Municipal Code prior to the date an application for a Technical Code permit is tendered to the Division.

(c) As used in this section, “owner” shall mean and include any persons who had or have legal title to any private real property in the city, including all persons shown as owners on the last equalized assessment roll of the Los Angeles County assessor’s office. Owners include agents thereof, as well as persons with powers of attorney, executors of estates, trustees, or who are court-appointed administrators, conservators, guardians or receivers.

(d) As used in this section, “responsible persons” shall mean all persons, whether as owners, lessees, occupants or others, who allow, cause, create, maintain, suffer, or permit a violation of the Beverly Hills Municipal Code to exist or continue, by any act or the omission of any act or duty.

(e) As used in this section, a “properly addressed” notice means the name and address of an owner as stated in: (i) an application for a permit; (ii) another city record; or, (iii) the last equalized assessment roll of the Los Angeles County Assessor’s office.

302.1.1.2 The Division shall, subject to the provisions in Subpart 3 below, not issue any Technical Code permits for a real property when NOTICED CODE VIOLATIONS exist thereon, in which case the Division shall issue a Notice of Denial of Permit by first class mail to the permit applicant or to the current owner (if not the applicant). The Notice of Denial of Permit shall include a description of the NOTICED CODE VIOLATIONS as well as notice of the right of appeal pursuant to this section. Failure of any person to receive a properly addressed Notice of Denial of Permit pursuant to this section shall not invalidate the denial of a permit or extend the appeal period.

302.1.1.3 The Division may issue a permit or a permit with conditions to an owner, despite the existence of one or more NOTICED CODE VIOLATIONS, if it determines one of the following circumstances exists:

(a) The NOTICED CODE VIOLATIONS require the permit being applied for in order to abate them.

(b) Denial of a permit would result in an immediate threat to: (i) the health or safety of occupants of the real property on which NOTICED CODE VIOLATIONS exist; or, (ii) the occupants of adjoining private property; or, (iii) persons on public property.

302.1.1.4 If the Division imposes conditions on a permit, it shall issue a Notice of Permit Condition(s) to the permit applicant or to the current owner (if not the applicant) by first class mail that shall be deposited in a United States Postal Container. Notice of the right of appeal pursuant to this section shall be included therein. Failure of any person to receive a properly addressed Notice of Permit Condition(s) shall not invalidate the conditions or extend the appeal period.

(i) If an owner fails to comply with a condition in a timely manner, as determined by the Division, it may suspend or revoke the permit pursuant to Section 303.5. The notice and appeal provisions in Section 303.5 shall apply if the Division issues a Notice of Suspension or Revocation of Permit.

302.1.1.5 The issuance of a permit without conditions shall not preclude the Division from subsequently issuing a Notice of Permit Condition(s). Failure of any person to receive a properly addressed Notice of Permit Condition(s) shall not invalidate the condition(s) or extend the appeal period.

302.1.1.6 The Division may, prior to the issuance of a Technical Code permit, also require an advance tender of a cash deposit for code enforcement fees to monitor real property for NOTICED CODE VIOLATIONS until they have been fully abated in the manner required by the Beverly Hills Municipal Code. Such fees are chargeable from the date of issuance of Technical Code permits and shall terminate upon the abatement of the NOTICED CODE VIOLATIONS. The amount of the deposit shall be calculated in the manner set forth below, which shall be in addition to any permit fees. The Division may require the owner to replenish a deposit within seven (7) calendar days of written notice by first class mail, if 50% of that deposit is depleted. Failure to replenish a deposit in a timely manner shall constitute cause for the Division to suspend or revoke the permit pursuant to Section 303.5.

(a) As used in this section, "code enforcement fees" shall mean fees imposed by the city to defray its costs of code enforcement actions, pursuant to California Government Code Section 54988 and California Health and Safety Code Section 17951 (and any successor statutes thereto), the Beverly Hills Technical Codes, and any other applicable local, state, or federal law, as well as by the city's police powers as authorized by the California Constitution. Monitoring real property for NOTICED CODE VIOLATIONS constitutes code enforcement actions pursuant to this section and include but are not limited to: (i) the time and other resources of public officials in all city departments or divisions and city consultants expended by them to inspect and/or re-inspect real property in connection with NOTICED CODE VIOLATIONS, as well as to: (i) draft related reports or notices; (ii) take related photographs; (iii) engage in related communications (whether in meetings or otherwise) with other city officials, other agencies or responsible persons; and, (iv) to seek or cause the abatement of NOTICED CODE

VIOLATIONS by the exercise of one or more of the city's remedies. In no instance shall the city charge a code enforcement fee for any actions that are covered by permit fees.

(b) In establishing the required amount of a cash deposit in each case the Division shall estimate the time in hours the city will expend for monitoring actions and shall consider the following factors: (i) the nature and number of NOTICED CODE VIOLATIONS; (ii) whether their abatement requires city approvals, licenses or permits; (iii) the time it will take for an owner to obtain those approvals, licenses or permits; and, (iv) the time it will take for an owner to fully abate the NOTICED CODE VIOLATIONS with all required approvals, inspections and permits. The estimate of hours shall be multiplied by the average burdened dollar hourly rate the city pays personnel in the Community Development Department to arrive at the amount of the required deposit.

(c) The city shall provide an accounting of code enforcement fees that have been charged to a deposit in the form of a Statement of Code Enforcement Fees by first class mail to an owner within ten (10) calendar days of the date the NOTICED CODE VIOLATIONS have been fully abated. If an unused portion of the deposit exists, the city shall tender it to the owner along with the accounting. Notice of the right to appeal the Statement of Code Enforcement Fees shall be included that informs the owner of the time period and manner in which to do so. Code enforcement fees that exceed a deposit are nonetheless chargeable to an owner and due the city. Failure of any person to receive a properly addressed Statement of Code Enforcement Fees pursuant to this section shall not invalidate the accounting therein or extend the appeal period.

(d) In order to be timely, an owner's dated and signed appeal of the Statement of Code Enforcement Fees, which shall contain the owner's mailing address and contact information by telephone and email (if available), must be received by the Division within ten (10) calendar days of the date of mailing of the Division's Statement of Code Enforcement Fees. The appeal shall state all objections to the statement. An appeal fee shall not be charged.

(e) An untimely appeal constitutes a waiver of the right to appeal the Statement of Code Enforcement Fees, in which case it is final.

(f) If an appeal is timely filed, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the Statement of Code Enforcement Fees and the NOTICED CODE VIOLATIONS. The hearing shall occur within thirty (30) days of the Division's receipt of a timely appeal. Formal rules of evidence and discovery do not apply. The owner and the city shall have the opportunity to present evidence in support of their respective positions and to cross-examine witnesses. The city bears the burden of proof at the appeal hearing to establish it incurred code enforcement fees in the amount claimed. The Statement of Code Enforcement Fees, and all amendments or supplements thereto, shall constitute prima facie evidence of the facts contained in those documents. The hearing officer shall use preponderance of evidence as the standard of review in deciding the matter on appeal.

(g) The city shall issue a notice to the owner by first class mail of the date, time and place of the hearing, which notice shall be deposited in a United States Postal container no less than ten (10) calendar days prior thereto. Failure of any owner to receive a properly addressed notice of hearing pursuant to this section shall not invalidate a Statement of Code Enforcement Fees.

(i) Failure of an owner to appear at an appeal hearing constitutes a waiver of the right to appeal, in which case the hearing officer shall cancel the hearing. In that event, the Statement of Code Enforcement Fees is final.

(h) The hearing officer shall, within ten (10) calendar days of the hearing issue a written Notice of Decision to the owner and the city by first class mail that: (i) upholds the city's Statement of Code Enforcement Fees; or, (ii) determines the Statement of Code Enforcement Fees is inaccurate with a written explanation therefor. In that event, the hearing officer shall specify the amount the owner is due for any additional refund of the deposit less any prior city refund, which the city shall tender to the

owner within a period of ten (10) days from the date of the Notice of Decision. The hearing officer's decision shall be final.

302.1.1.7 An owner may appeal a Notice of Denial of a Permit or a Notice of Permit Condition(s) that is issued pursuant to this section.

(a) In order to be timely, an owner's dated and signed appeal, which shall contain the owner's mailing address and contact information by telephone and email (if available), must be received by the Division within ten (10) calendar days of the date of mailing of the Division's Notice of Denial of Permit or a Notice of Permit Condition(s). The appeal shall state all grounds in support of thereof. An appeal fee shall not be charged.

(b) An untimely appeal constitutes a waiver of the right to appeal, in which case the Division's Notice of Denial of a Permit or Notice of Permit Condition(s) is final.

(c) If an appeal is timely filed with the required fee, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the Division's issuance of a Notice of Denial of Permit or a Notice of Permit Condition(s). The hearing shall occur within thirty (30) days of the Division's receipt of a timely appeal. Formal rules of evidence and discovery do not apply. The owner and the city shall have the opportunity to present evidence in support of their respective positions and to cross-examine witnesses. The city bears the burden of proof at the appeal hearing to establish cause for the Division's issuance of a Notice of Denial of Permit or a Notice of Permit Condition(s). All final administrative citations and/or notices to prior or current owners shall constitute prima facie evidence of the facts contained in those documents. The hearing officer shall use preponderance of evidence as the standard of review in deciding the matter on appeal.

(d) The city shall issue a notice to the owner by first class mail of the date, time and place of the hearing, which notice shall be deposited in a United States Postal container no less than ten (10) calendar days prior thereto. Failure of any person to receive a properly addressed notice pursuant to this section shall not affect any appeal hearing pursuant to this section.

(i) Failure of an owner to appear at an appeal hearing constitutes a waiver of the right to appeal, in which case the hearing officer shall cancel the hearing. In that event, the Notice of Denial of Permit or the Notice of Permit Condition(s) is final.

(e) The hearing officer shall, within ten (10) calendar days of the hearing issue a written Notice of Decision to the owner and the city by first class mail that upholds the Division's determination that cause existed to issue a Notice of Denial of Permit or a Notice of Permit Condition(s). Alternatively, the hearing officer may overrule a Notice of Denial of Permit due to an absence of cause, in which event the owner shall be entitled to obtain a permit, provided all other requirements therefor under the Beverly Hills Municipal Code have been met. The hearing officer may also overrule a Notice of Permit Condition(s) due to an absence of cause. The Notice of Decision shall include findings in support thereof. The hearing officer's decision shall be final.

302.1.1.8 The Division shall, provided all other requirements in the Beverly Hills Municipal Code have been met, issue a permit once it determines grounds to deny it pursuant to this section no longer exist. The Division shall also rescind conditions to a permit once it determines grounds no longer exist to require their imposition.

302.1.1.9 The actions authorized by this section shall not affect, alter, modify or waive the city's right to exercise its remedies at any time against owners or responsible persons in connection with violations of the Beverly Hills Municipal Code, irrespective of whether they were noticed."

"Section 302.2.9 is hereby added to the Uniform Administrative Code to read as follows:

302.2.9 Electronic construction documents. The enforcing agency is authorized to require construction documents, including plans, to be submitted in an acceptable electronic format."

Section 2. Section 9-1-104 of Article 1 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is further amended by amending Section 303.5 of the Uniform Administrative Code, as follows:

"Section 303.5 of the Uniform Administrative Code is hereby amended to read as follows:

Section 303.5. Suspension or revocation of permits.

(a) The building official, or a designee thereof, may in writing, suspend or revoke a Technical Code permit when: (i) it was issued in error or on the basis of incorrect information; (ii) it was issued in violation of any provision of the Beverly Hills Municipal Code; (iii) NOTICED CODE VIOLATIONS as defined in this section exist; (iv) a Notice of Permit Condition(s) has been issued pursuant to Section 302.1.1 or this section; or, (vi) a condition to a permit has not been met or has otherwise been violated.

(b) The following definitions apply to this section:

(i) As used in this section, "Technical Code permit" includes all permits that are required by Title 9, Chapter 1 [Technical Codes] of the Beverly Hills Municipal Code. The singular number includes the plural and the plural includes the singular.

(ii) As used in this section, "NOTICED CODE VIOLATIONS" mean all activities, conditions or uses on private real property that violate any provision of the Beverly Hills Municipal Code as described in one or more city notices (from any department or division) or final administrative citations to a former or current owner or to other responsible persons, which violations the City has determined have not been fully corrected in the manner required by the Beverly Hills Municipal Code.

(iii) As used in this section, "owner" shall mean and include any persons having legal title to any private real property in the city, including all persons shown as owners on the last equalized assessment roll of the Los Angeles County assessor's office. Owners include agents thereof, as well as persons with powers of attorney, executors of estates, trustees, or who are court-appointed administrators, conservators, guardians or receivers.

(iv) As used in this section, "responsible persons" shall mean all persons, whether as owners, lessees, occupants or others, who allow, cause, create, maintain, suffer, or permit a violation of the Beverly Hills Municipal Code to exist or continue, by any act or the omission of any act or duty.

(v) As used in this section, a "properly addressed" notice means the name and address of an owner as stated in: (i) an application for a permit; (ii) another city record; or, (iii) the last equalized assessment roll of the Los Angeles County Assessor's office.

(c) If the Division suspends or revokes a permit pursuant to this section, it shall, subject to the provisions in Subpart (d) below, issue a Notice of Suspension or Revocation of Permit to the permit applicant or to the owner (if not the applicant) by first class mail. Suspension of a permit shall not extend its life. The notice shall include a description of the basis for the suspension or revocation as well as notice of an appeal right if the Notice of Suspension or Revocation of Permit was issued pursuant to (iii), (iv) or (v) of Subpart (a). Failure of any person to receive a properly addressed Notice of Suspension or Revocation of Permit shall not invalidate the suspension or revocation of a permit or extend the appeal period.

(d) The Division may, as an alternative to suspension or revocation for NOTICED CODE VIOLATIONS, impose conditions to a permit in the form of a Notice of Permit Condition(s) that is issued to the permit applicant or to the current owner (if not the applicant) by first class mail that shall be deposited in a United States Postal Container. Failure of any person to receive a properly addressed Notice of Permit Condition(s) pursuant to this section shall not invalidate the conditions or extend the appeal period. Failure to comply with a Notice of Permit Condition(s) in a timely manner constitutes additional cause to suspend or revoke a permit.

(e) The Division may, prior to issuing a Notice of Permit Condition(s) and in order to monitor NOTICED CODE VIOLATIONS, also require tender of a cash deposit (if not previously tendered and/or used) for code enforcement fees that the city incurs from the date of the issuance of a Notice of Permit Condition(s) until the NOTICED CODE VIOLATIONS have been fully abated with all required approvals, inspections and permits. The provisions in 302.1.1.6 and its subparts shall apply if a cash deposit is required.

(i) Failure to replenish a deposit as required by Subpart (e) above shall also constitute cause for the Division to issue a Notice of Suspension or Revocation of Permit pursuant to this section. No right of appeal shall exist for a Notice of Suspension or Revocation of Permit that has been issued for this reason.

(f) An owner may appeal a Notice of Suspension or Revocation that is issued pursuant (iii), (iv) or (v) of Subpart (a) above. No right of appeal exists if a Notice of Suspension or Revocation is based on (i) or (ii) of Subpart (a) above.

(i) In order to be timely, an owner's dated and signed appeal pursuant to Subpart (d) above, which shall contain the owner's mailing address and contact information by telephone and email (if available), must be received by the Division within ten (10) calendar days of the date of mailing of the Notice of Suspension or Revocation of Permit or a Notice of Permit Condition(s). The appeal shall state all grounds in support of thereof. An appeal fee shall not be charged.

(ii) An untimely appeal constitutes a waiver of the right to appeal, in which case the Notice of Suspension or Revocation of Permit or the Notice of Permit Conditions shall be final.

(iii) If an appeal is timely filed, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the Division's issuance of a Notice of Suspension or Revocation of Permit or a Notice of Permit Condition(s). The hearing shall occur within thirty (30) days of the Division's receipt of a timely appeal. Formal rules of evidence and discovery do not apply. The owner and the city shall have the opportunity to present evidence in support of their respective positions and to cross-examine witnesses. The city bears the burden of proof at the appeal hearing to establish cause for the Division's issuance of a Notice of Suspension or Revocation or a Notice of Permit Condition(s). All final administrative citations and/or notices to prior or current owners shall constitute prima facie evidence of the facts contained in those documents. The hearing officer shall use preponderance of evidence as the standard of review in deciding the issue on appeal

(g) The city shall issue a notice to the owner by first class mail of the date, time and place of the hearing, which notice shall be deposited in a United States Postal container no less than ten (10) calendar days prior thereto. Failure of any person to receive a properly addressed notice pursuant to this section shall not affect any appeal hearing pursuant to this section.

(i) Failure of an owner to appear at an appeal hearing constitutes a waiver of the right to appeal, in which case the hearing officer shall cancel the hearing. In that event a Notice of Suspension or Revocation of Permit or a Notice of Permit Condition(s) is final.

(h) The hearing officer shall, within ten (10) calendar days of the hearing issue a written Notice of Decision to the owner and the city by first class mail that: (i) upholds the Division's

determination that cause existed to issue a Notice of Suspension or Revocation of Permit or a Notice of Permit Condition(s); or, (ii) reverses the Division's suspension or revocation due to the absence of cause. The Notice of Decision shall include findings in support thereof. The hearing officer's decision shall be final.

(i) The Division shall rescind a Notice of Suspension or Revocation of Permit in writing, once it determines cause for its issuance no longer exists. The Division shall also rescind a Notice of Permit Condition(s) in writing once it determines grounds no longer exist for their imposition.

(j) The actions authorized by this section shall not affect, alter, modify or waive the city's right to exercise its remedies at any time against owners or responsible persons in connection with violations of the Beverly Hills Municipal Code, irrespective of whether they were noticed."

Section 3. Sections 9-1-201 and 9-1-202 of Article 2 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-1-201 and 9-1-202 are hereby added to Article 2 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"9-1-201: ADOPTION OF CALIFORNIA BUILDING CODE: The 2013 edition of the California Building Code, excluding all appendices except G, I, and J, is hereby adopted by reference, subject to the amendments set forth in Section 9-1-202."

"9-1-202: AMENDMENTS TO CALIFORNIA BUILDING CODE:

The California Building Code adopted pursuant to Section 9-1-201 is hereby amended as follows:

"Section 1.1.1 of the California Building Code is amended to read as follows:

1.1.1 Title. These regulations shall be known as the California Building Code, may be cited as such and will be referred to herein as "this code." The California Building Code is Part 2 of twelve parts of the official compilation and publication of the adoption amendment and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the 2012 International Building Code of the International Code Council with necessary California amendments.

For the city of Beverly Hills, these regulations shall be known as the Beverly Hills Building Code. The provisions contained in the California Building Code of the (compiled) California Building Standards Code as defined in section 18910, Health and Safety Code may be cited as such and are referred to hereafter as "these regulations" or "these building standards" or "this code". These regulations shall also be collectively known as the "California Building Code" as amended by the Beverly Hills Municipal Code."

"Section 501.2 of the California Building Code is amended to read as follows:

501.2 Address identification. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102mm) in height for residential properties and a minimum of 6 inches high for non-residential properties and not less than 0.5 inch (12.7mm) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the city building official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the *public way*, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

501.2.1 Street numbering. The following provisions shall be applicable to street numbering:

1. On the east-west axis, all numbers shall sequence, as much as practicable, with the contiguous east-west streets abutting Los Angeles city and County.
2. On the north-south axis, streets north of Wilshire Boulevard shall be designated with the prefix "North," and streets south of Wilshire Boulevard shall be designated with the prefix "South."
3. Numbers on the northerly and westerly sides of all streets shall end in an odd digit, while numbers on the southerly and easterly sides shall end in an even digit.
4. The city building official shall designate street address numbers, and shall maintain on file a map entitled "Official Numbering Map Of The City Of Beverly Hills" which shall depict the official designation of the numbers assigned to property fronting on the various streets in the city.

501.2.2 Building numbering requirements. The entrances to all buildings from public streets shall have the numbers designated by the city building official conspicuously displayed near the entrance of the structure in a manner that they are in plain view from the street. Structures which have access from a rear alley, in addition to the numbering required by this section, shall for purposes of emergency response, provide numbering and street identification which is clearly visible from the rear alley access in accordance with the following provisions:

1. The name of the street and street number as designated by the city building official shall be visible from the alley and located adjacent to the alley access to the structure.
2. The address markings shall be placed five (5') feet above the alley surface, with numbers four (4") inches in height and letters two (2") inches in height, and placed upon the structure, wall, fence, gate, or other appropriate surface so as to be clearly visible.
3. If any property owner shall fail to provide the address identification required by this subsection on the premises, the city may provide and affix such address identification markings at no cost to the property owner. Where identification markings are provided by the city, no person shall remove, deface, or modify such markings without the written authorization of the city building official.

501.2.3 Diagram required for six or more dwelling units. Where a building or building complex contains six (6) or more separate dwelling units, a description diagram indicating the identification pattern and location of each dwelling unit shall be posted in a conspicuous manner at the primary entrance of such building or buildings. This requirement of this section shall be included in any building plans submitted for plan check.

501.2.4 Prohibition against placing numbers on streets, sidewalks, or curbs or displaying improper building numbers. No person shall place, maintain, or cause any number, figure, letter, carving, drawing, design, or other marking upon, or paint, any street, sidewalk, or curb in the city, except as authorized by the city. No person shall place, maintain, or display any address identification number other than as designated by the city building official."

"Section 704A.3 of the California Building Code is amended to read as follows:

704A.3 Alternative methods for determining ignition-resistant material. Any one of the following shall be accepted as meeting the definition of ignition-resistant material:

1. Noncombustible material. Material that complies with the definition for noncombustible materials in Section 202.
2. Fire-retardant-treated wood. Fire-retardant-treated wood identified for exterior use that complies with the requirements of Section 2303.2."

"Section 707A.3 of the California Building Code is amended to read as follows:

707A.3 Exterior walls. The exterior wall covering or wall assembly shall comply with one of the following requirements:

1. Noncombustible material
2. Ignition-resistant material
3. Heavy timber exterior wall assembly
4. Log wall construction assembly
5. All non-wood wall assemblies that meet the performance criteria in accordance with the test procedures for a 10-minute direct flame contact exposure test set forth in SFM Standard 12-7A-1

Exception: Any of the following shall be deemed to meet the assembly performance criteria and intent of this section:

1. One layer of 5/8-inch Type X gypsum sheathing applied behind the exterior covering in compliance with the State Fire Marshal Standard 12-7A-1 as listed in the Cal-Fire Wildland Urban Interface (WUI) Product – Building Material Listing Program installed on the exterior side of the framing.
2. The exterior portion of a 1-hour fire resistive exterior wall assembly designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.

707A.3.1 Extent of exterior wall covering. Exterior wall coverings shall extend from the top of the foundation to the roof, and terminate at 2 inch (50.8 mm) nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure.”

“Section 707A.4 of the California Building Code is amended to read as follows:

707A.4 Open roof eaves. The exposed roof deck on the underside of unenclosed roof eaves shall consist of one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering in compliance with the State Fire Marshal Standard 12-7A-3 as listed in the Cal-Fire Wildland Urban Interface (WUI) Product – Building Material Listing Program installed on the underside exterior of the roof deck
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the roof deck designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.”

“Section 707A.5 of the California Building Code is amended to read as follows:

707A.5 Enclosed roof eaves and roof eave soffits. The exposed underside of enclosed roof eaves having either a boxed-in roof eave soffit with a horizontal underside, or sloping rafter tails with an exterior covering applied to the underside of the rafter tails, shall be protected by one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside of the rafter tails or soffit
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the rafter tails or soffit including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual
5. Boxed-in roof eave soffit assemblies with a horizontal underside that meet the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.”

“Section 707A.6 of the California Building Code is amended to read as follows:

707A.6 Exterior porch ceilings. The exposed underside of exterior porch ceilings shall be protected by one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8-inch Type X gypsum sheathing applied behind the exterior covering on the underside of the ceiling
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the ceiling assembly including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual
5. Porch ceiling assemblies with a horizontal underside that meet the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.”

“Section 707A.7 of the California Building Code is amended to read as follows:

707A.7 Floor projections. The exposed underside of a cantilevered floor projection where a floor assembly extends over an exterior wall shall be protected by one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the floor projection including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual
5. The underside of a floor projection assembly that meet the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.”

“Section 709A.3 of the California Building Code is amended to read as follows:

709A.3 Decking surfaces. The walking surface material of decks, porches, balconies and stairs shall be constructed with one of the following materials:

1. Ignition-resistant material that complies with the performance requirements of both SFM Standard 12-7A-4 and SFM Standard 12-7A-5.
 2. Exterior fire retardant treated wood
 3. Noncombustible material
- Any material that complies with the performance requirements of SFM Standard 12-7A-4A when attached exterior wall covering is also either noncombustible or ignition-resistant material.”

“Section 903.2 of the California Building Code is amended to read as follows:

903.2 Where required.

A. Approved automatic sprinkler systems in new buildings and structures shall be required for all occupancies, except U occupancies which are sheds that are less than five hundred (500) square feet.

B. Approved automatic sprinkler systems shall be required in all existing buildings if: (i) additions, alterations or repairs are made within any twelve (12) month period which exceed fifty percent (50%) of the value of such existing building, (ii) an addition is constructed which exceeds fifty percent (50%) of the square footage of the existing building, or (iii) an addition of more than five thousand (5,000) square feet is constructed.

C. Areas occupied by the following existing occupancies shall have installed an automatic fire extinguishing system in compliance with this code:

- (1) Throughout all existing eating establishments having a floor area in excess of three thousand (3,000) square feet.
- (2) Throughout bowling alleys.
- (3) Throughout public assembly occupancies having an occupant load of three hundred (300) or more persons. If such occupancies are located above the first floor, the floors below shall be provided with an automatic sprinkler system; provided further, public assembly occupancies of three hundred (300) or more persons placed in buildings existing prior to August 19, 1976, shall not be required to provide an automatic fire-extinguishing system in floors below such occupancy.
- (4) Throughout hotels except those areas used exclusively for lodging.
- (5) Throughout retail sales rooms classified as group M and S occupancies if the floor area of all floors exceeds twelve thousand (12,000) square feet, and in group M and S retail sales and storage occupancies more than three (3) stories in height, and in group M and S occupancies, if such occupancies are located within the same building or structure as group R-I occupancies. The area of mezzanines shall be included in determining the areas where sprinklers are required.
- (6) Nightclubs and discos in rooms primarily used for entertaining occupants who are drinking or dining and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds three thousand (3,000) square feet. For uses to be considered "separated," the separation shall be not less than is required for a one-hour occupancy separation.
- (7) In every story or basement of all buildings if the floor area exceeds fifteen hundred (1,500) square feet and there is not provided at least twenty (20) square feet of opening entirely above the adjoining ground level in each 50 linear feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than thirty (30) inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than seventy-five (75) feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

- (8) In rooms where nitrate film is stored and handled.
- (9) In protected combustible fiber storage vaults as defined in the fire code.

D. Approved automatic sprinkler systems shall be required for new Ambulatory Health Care Facilities (as that term is defined herein) located in an existing building or portion thereof, and that are classified as a Business Group B or Institutional Group 1-2.1 occupancy."

"Sections 903.2.1 through 903.2.10 of the California Building Code (and the subsections therein) are hereby deleted in their entirety."

"Section 903.2.11 of the California Building Code is amended to read as follows:

903.2.11 Specific building areas and hazards. In all occupancies an *automatic sprinkler* system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.11."

"Section 903.2.11.7 is added to the California Building Code to read as follows:

903.2.11.7 Elevator pits. Approved automatic sprinklers shall be provided in new elevator pits.”

“Section 903.2.11.8 is added to the California Building Code to read as follows:

903.2.11.8 Storage and use of nitrate film. An automatic sprinkler system shall be provided throughout all new and existing rooms where nitrate film is stored and handled.”

“Section 903.2.11.9 is added to the California Building Code to read as follows:

903.2.11.9 Fiber storage vaults. An automatic sprinkler system shall be provided in new and existing combustibile fiber storage vaults as defined in the fire code.”

“Section 903.2.11.10 is added to the California Building Code to read as follows:

903.2.11.10 Bowling alleys. An automatic sprinkler system shall be provided throughout all new and existing bowling alleys.”

“Section 903.2.11.11 is added to the California Building Code to read as follows:

903.2.11.11 Balconies and decks. Sprinkler protection shall be provided for exterior overhangs, balconies, decks, and ground floor patios of dwelling units exceeding four (4) feet in width.”

“Section 903.3.1.2, including subsection 903.3.1.2.1, of the California Building Code , is deleted and replaced with the following:

903.3.1.2 NFPA 13R Sprinkler systems. This section is deleted. NFPA 13R systems are not allowed in the City of Beverly Hills.”

“Section 903.3.1.3.1 is added to the California Building Code to read as follows:

903.3.1.3.1 Double check valve. Two check valves are required to be installed at each fire sprinkler riser in NFPA 13D systems and an approved backflow assembly (DCDA, DCVA, or RPZ) for NFPA 13 systems.”

“Section 903.3.1.3.2 is added to the California Building Code to read as follows:

903.3.1.3.2 Fire sprinkler riser assemblies. Where fire sprinklers are required, each separate structure shall have fire sprinkler riser assembly with a main control valve, separate domestic valves, identification signage, and exterior horn strobe(s). Appropriate spare sprinklers and wrenches shall be provided in an approved box and location.”

“Section 903.3.7 of the California Building Code is amended to read as follows:

903.3.7 Fire department connections. The location and size of fire department connection shall be *approved by the fire code official.*”

“Section 903.4 of the California Building Code is amended to read as follows:

Section 903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for NFPA 13 and 13D automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all NFPA 13 and 13D sprinkler systems shall have all valves locked in the open position as required by the Fire Official and be electrically supervised by a *listed* fire alarm control unit. Where the combination of new and existing sprinkler systems totaling 20 sprinkler heads or more on one property are being modified or altered, the entire sprinkler system shall be monitored off-site by an approved Supervising Station (Central, Remote or Proprietary)

Exceptions:

1. New and existing sprinkler systems with a combined total of 19 heads or less on one property.
2. Electrical supervision of valves on 13D systems shall not be required."

"Section 903.4.2 of the 2013 Edition of the California Building Code is amended to read as follows:

903.4.2 Alarms. Approved interior audible and audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system in an approved location(s). Approved, exterior audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system and installed in an approved location(s). Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Approved alarm notification appliances shall be provided."

"Section 907.2.11 of the California Building Code is amended to read as follows:

Section 907.2.11 Smoke alarms. Listed single- and multiple-station smoke alarms complying with UL 217 for all new and existing R-occupancies shall be installed as described in Sections 907.2.11.1, 907.2.11.2, 907.2.11.3 and 907.2.11.4 and NFPA 72."

"Section 907.2.11.3 of the California Building Code is amended to read as follows:

907.2.11.3 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. When low-voltage systems are required, the fire official may require additional sounder bases installed. Low voltage systems shall be installed per NFPA 72 fire alarm system requirements."

"Section 907.2.11.4 of the California Building Code is amended to read as follows:

Section 907.2.11.4 Power source. In existing construction, new construction, and in newly classified group R occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system."

"Section 907.5.2.6 is added to the California Building Code to read as follows:

907.5.2.6 All use areas. Visible alarm notification appliances shall be provided in all occupied rooms where ambient noise impairs hearing of the fire alarm including but not limited to residential home theaters, public dressing, changing, or fitting rooms with full height doors or curtains that obstruct seeing the visible notification appliances or businesses with rooms where patients await medical care or consultation is provided."

"Section 1006.3 of the California Building Code is amended to read as follows:

1006.3 Emergency power of illumination. The power supply for means of egress illumination shall normally be provided by the premises' electrical supply.

In the event of power supply failure, an emergency electrical system shall automatically illuminate the following areas.

1. Aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress.
2. Corridors, interior exit stairways and ramps and exit passageways in buildings required to have two or more exits.
3. Exterior egress components at other than the level of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.
4. Interior exit discharge elements, as permitted in Section 1027.1, in building required to have two or more exits.
5. Exterior landings, as required by Section 1008.1.6, for exit discharge doorways in buildings required to have two or more exits.
6. Parking Garages.

Exception: Parking Garages for Single Family Residences.

The emergency power system shall provide power for duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Chapter 27 of the *California Building Code*."

"Section 1008.1.9.12 of the California Building Code is amended to read as follows:

1008.1.9.12 Access-controlled elevator lobby doors in mid-rise and high-rise. *For elevator lobbies in mid-rise and high-rise office buildings where the occupants of the floor are not required to travel through the elevator lobby to reach an exit, when approved by the fire chief, the doors separating the elevator lobby from the adjacent occupied tenant space shall be permitted to be equipped with an approved entrance and egress access control system provided all of the following requirements are met:*

1. *The building is provided throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.*
2. *A smoke detector is installed on the ceiling on the tenant side of the elevator lobby doors along the center line of the door opening, not less than 1 foot and not more than 5 feet from the door opening, and is connected to the fire alarm system.*
3. *A remote master switch capable of unlocking the elevator lobby doors shall be provided in the fire command center for use by the fire department.*
4. *Locks for the elevator lobby shall be U.L. and California State Fire Marshall listed fail-safe type locking mechanisms. The locking device shall automatically release on activation of any fire alarm device on the floor of alarm (waterflow, smoke detector, manual pull stations, etc.) All locking devices shall unlock, but not unlatch, upon activation.*
5. *A two-way voice communication systems, utilizing dedicated lines, shall be provided from each locked elevator lobby to the 24-hour staffed location on site, annunciated as to location. Operating instructions shall be posted above each two-way communication device.*
Exception: *When approved by the fire chief, two-way voice communication system to an off-site facility may be permitted where means to remotely unlock the access controlled doors from the off-site facility are provided.*
6. *An approved momentary mushroom-shaped palm button connected to the doors and installed adjacent to each locked elevator lobby door shall be provided to release the door locks when operated by an individual in the elevator lobby. The locks shall be reset manually at the door. Mount palm button so that the center line is 48 inches above the finished floor.*

Provide a sign stating:

IN CASE OF EMERGENCY,
PUSH PALM BUTTON,
DOOR WILL UNLOCK AND
SECURITY ALARM WILL
SOUND.
PROCEED TO EXIT"

The sign lettering shall be 3/4-inch high letters by 1/8-inch width stroke on a contrasting background.

7. Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors."

"Section 1022.9 of the California Building Code is amended to read as follows:

1022.9 Stairway identification signs. A sign shall be provided at each floor landing in an interior exit stairway and ramp connecting more than two stories designating the floor level, the terminus of the top and bottom of the interior exit stairway and ramp and the identification of the stair or ramp. The signage shall also state the story of, and the direction to, the exit discharge and the availability of roof access from the interior exit stairway and ramp for the fire department. The sign shall be located 5 feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions. Signs shall be installed on the interior of the stairways on each floor and on the exterior door of each stair door at the ground level, to identify each stair landing and indicate the upper and lower termination of the stairway. Floor level identifications and markings shall remain consistent throughout the entire property or building including, but not limited to lobbies, hallways, parking levels, and basement levels.

In addition to the stairway identification sign, raised character and Braille floor identification signs that comply with Chapter 11B shall be located at the landing of each floor level, placed adjacent to the door on the latch side, in all enclosed stairways in buildings two or more stories in height to identify the floor level. At the exit discharge level, the sign shall include a raised five pointed star located to the left of the identifying floor level. The outside diameter of the star shall be the same as the height of the raised characters."

"Section 1022.9.1 of the California Building Code is amended to read as follows:

1022.9.1 Signage requirements. Stairway identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm) by 12 inches (305 mm).
2. The letters designating the identification of the interior exit stairway and ramp shall be a minimum of 1-1/2 inches (38 mm) in height.
3. The number designating the floor level shall be a minimum of 5 inches (127 mm) in height with 3/4-inch (19 mm) strokes and located in the center of the sign. The mezzanine levels shall have the letter "M" preceding the floor level. Basement levels shall have the letter "B" preceding the floor number.
4. All other lettering and numbers shall be a minimum of 1 inch (25 mm) in height.
5. The stairway's upper terminus, such as ROOF ACCESS or NO ROOF ACCESS, shall be placed under the stairway identification in 1-inch-high (25 mm) block lettering with 1/4-inch (6 mm) strokes.
6. The lower and upper terminus of the stairway shall be placed at the bottom of the sign in 1-inch-high (25mm) block lettering with 1/4 inch (6 mm) strokes.
7. Characters and their background shall have a nonglare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.

8. When signs required by Section 1022.8 are installed in interior exit enclosures of buildings subject to Section 1024, the signs shall be made of the same materials as required by Section 1024.4.
9. Signs shall also be installed on the exterior of all ground level stairway doors.”

“Section 1505.1 of the California Building Code is amended to read as follows:

1505.1 General. Except as otherwise provided in this section, roof coverings or roof assemblies on any structure regulated by this code shall be a fire-retardant roof covering or roof assembly that is listed as a Class A assembly in accordance with ASTM E 108 or UL 790. In addition, no wood shall be used as a roof covering material. Noncombustible non-wood roof coverings may be applied in accordance with the manufacturer’s requirements in lieu of a fire-retardant roofing assembly.

Exception: Roof repairs of less than 10 percent of the total roof area on existing structures in any one year period may be repaired with a roof covering that meets the same fire retardant standard as the existing roof.”

“Sections 1505.1.1, 1505.1.2 and 1505.1.3 of the California Building Code are hereby deleted.

“Section 1505.1.5 is added to the California Building Code to read as follows:

1505.1.5 Class A roof covering requirement. Notwithstanding any other requirement of the Beverly Hills Municipal Code, no later than July 1, 2014, all wood roof coverings in the City of Beverly Hills shall be either: (1) fire retardant Class A; or (2) treated with a fire retardant spray in accordance with Sections 1505.1.6 and Section 1505.1.7.

Exceptions:

1. Demolition or renovation permit. Property owners with a non-Class A wood roof that, as of July 1, 2014, have applied for or possess a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, shall have until December 31, 2014 to commence such demolition or renovation and remove the non-Class A wood roof; provided however, that such property owner shall submit a signed affidavit, on a form provided by the City, representing that the non-Class A wood roof will be removed by December 31, 2014.

2. Qualified Historical Building or Property. A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills.”

“Section 1505.1.6 is added to the California Building Code to read as follows:

“1505.1.6 Fire retardant spray for non-Class A wood roofs. If a fire retardant spray is applied on a non-Class A wood roof pursuant to Section 1505.1.5 above, such fire retardant spray shall comply with the current standards of the California State Fire Marshall, including but not limited to ASTM E-84, NFPA 255 and UL 723, and shall be applied by a California licensed contractor, or other qualified applicator. The property owner and certified applicator shall submit a signed affidavit on a form provided by the City indicating the manufacturer’s recommended effectiveness period and the certified applicator’s warranty period. The fire retardant spray shall be repeated before the end of the manufacturer’s recommended effectiveness period or the certified applicator’s certification warranty, whichever is shorter; provided, however, that the fire retardant spray need not be repeated if, before the end of the manufacturer’s recommended effectiveness period or certified applicator’s warranty period, whichever is earlier, a property owner has applied for or possesses a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, and commences such demolition or renovation and removes the non-Class A wood roof within 180 days from the expiration of such effectiveness or warranty period; provided further however, that the property owner shall submit a signed affidavit, on a form provided by the City, representing that such property owner is not repeating the fire retardant spray

because the non-Class A wood roof will be removed within 180 days from the expiration of the manufacturer's recommended effectiveness period or certified applicator's warranty period, whichever is earlier, of the existing spray."

"Section 1505.1.7 is added to the California Building Code to read as follows:

"1505.1.7 Permits required. No fire retardant spray shall be applied on a non-Class A wood roof within the City without first obtaining a permit from the City. There will be no charge for such permit, which shall remain valid for the term of the manufacturer's recommended effectiveness period or the certified applicator's certification warranty, whichever is shorter. The permit shall state the name of the certified applicator, the approved fire retardant spray material and the permit expiration date. Before a property owner repeats the fire retardant spray in accordance with Section 1505.1.6, such property owner shall renew the permit obtained pursuant to this section."

"Section 1505.1.8 is added to the California Building Code to read as follows:

"1505.1.8 Replacement of non-Class A wood roofs upon sale or transfer. Notwithstanding Section 1505.1.5 of the Beverly Hills Municipal Code, effective July 1, 2014, all existing non-Class A wood roofs shall be replaced with a fire retardant Class A non-wood roof before the sale or transfer of such property for monetary consideration.

Exceptions:

1. Buyer assumes responsibility, if the Seller and the Buyer agree that the Buyer shall assume responsibility to replace the wood roof and an application for a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof will be submitted, and such demolition or renovation will commence, and such non-Class A wood roof will be removed, within 180 days from the date of title transfer, then the non-Class A wood roof need not be replaced before the sale or transfer of such property, but shall be removed by the Buyer within the 180 day period from the date of title transfer; provided further, that the Seller and Buyer of such property shall submit a signed affidavit, on a form provided by the City, representing that the Buyer will remove the non-Class A wood roof within 180 days from the date of title transfer.

2. Qualified Historical Building or Property. A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills."

"The 2013 California Building Code is hereby amended by adopting by reference the Technical Amendments as published by the Los Angeles Regional Uniform Regional Code Program (LARUCP), Part I - International Code Council - Los Angeles Basin Chapter published September 5, 2013."

"Section 3112 is added to Chapter 31 of the California Building Code to read as follows:

SECTION 3112 TENTS, AWNINGS, CANOPIES, AND UMBRELLAS

3112.1 Permits required. No tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city without first obtaining a permit from the city building official. The permit fee shall be as established by resolution of the city council. Unless otherwise authorized by the city building official, no tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city in excess of ten (10) days.

3112.2 Temporary use. Tents, awnings, or canopies of cloth or pliable material shall be erected only as temporary shelters from the rain or sun and shall not be used as permanent structures or additions to the main building. Except as authorized by the city council or as otherwise specified in the municipal code, such structures shall not be used for the purpose of sheltering goods, wares, or merchandise or for the purpose of engaging in business in any manner thereunder. Such structures shall be permitted only if so

constructed and situated, so that in the opinion of the city building official, the structure will not cause a fire hazard or in any other way be dangerous to life, limb, or property.

Exception: The provisions of this section shall not prohibit the covering of materials stored in a yard with fire-retardant tarpaulins.

3112.3 Restrictions and requirements. Any tent, awning, or other pliable material for which a permit is required under this section shall comply with the following:

- (1) All city code provisions and regulations shall be complied with;
- (2) An electrical permit shall be obtained by a duly licensed electrical contractor for any wiring or lighting to be installed;
- (3) All plastics used shall display approval by the office of the fire marshal of the state;
- (4) All cloth used shall be incombustible or flame-retardant. Flame-retardant materials shall display the name of the treating agency, the date of the flame-retardant application, the type of flame-retardant used, and the flame-retardant certificate;
- (5) A testing flap shall be provided for the use of the fire department inspector;
- (6) Two (2) means of egress shall be provided for tents or canopies having an area of 1,000 square feet or more. Such means of egress shall be not less than five (5') feet in width and located not less than one-fifth ($\frac{1}{5}$) of the perimeter of the structure apart. Each means of egress shall be provided with exit signs as required by this code.

3112.4 Umbrellas. No open umbrella in excess of seven (7') feet in diameter shall be permitted in the commercial and industrial zones. Any umbrella having a diameter of seven (7') feet or less shall be securely fastened to a movable base approved by the city building official. Such umbrella shall at all times be maintained in a position and in such a manner as shall not constitute a fire hazard to persons or property, either from fire or wind."

"Section 3201.5 is added to the California Building Code to read as follows:

3201.5 No part of any structure, or any appendage thereto, shall project beyond the property line of the building site, except as specified in this chapter and elsewhere in the Beverly Hills Municipal Code."

"Section 3201.6 is added to the California Building Code to read as follows:

3201.6 Structures or appendages regulated by this code shall be constructed of materials as permitted by this code."

"Section 3202 of the California Building Code is hereby deleted."

"A new Section 3202 is added to the California Building Code to read as follows:

SECTION 3202 BELOW GRADE

Portions of buildings or structures below grade shall not project beyond the property line of the building site except as otherwise provided in the Beverly Hills Municipal Code."

"Section 3203 is added to Chapter 32 of the California Building Code to read as follows:

**SECTION 3203
ABOVE GRADE**

3203.1 Streets. In a commercial or industrial zone those portions of buildings, structures, or appendages thereto that may project beyond property lines adjacent to a street are as follows:

- (1) Marquees;
- (2) Canopies;
- (3) Cornices;
- (4) Awnings;
- (5) Signs; and

(6) When approved by the architectural commission, flagpoles, lights, and other ornamental projections.

3203.2 Alleys in a commercial or industrial zone. Projections beyond property lines adjacent to an alley in a commercial or industrial zone shall not be permitted.

3203.3 Streets and alleys in residential zones. Projections beyond property lines adjacent to streets and alleys in residential zones shall not be permitted."

"Section 3204 is added to the California Building Code to read as follows:

**SECTION 3204
MARQUEES AND CANOPIES**

3204.1 General. For the purposes of this section, a marquee or canopy shall include any object or decoration attached to or a part of such marquee or canopy.

3204.2 Projection and clearance. A marquee or canopy shall project not more than two-thirds ($\frac{2}{3}$) of the distance from the property line to the curb line and shall be no less than eight (8') feet above the ground or pavement below.

3204.3 Thickness. The maximum height or thickness of a marquee or canopy measured vertically from its lowest to its highest point shall not exceed nine (9') feet.

3204.4 Construction. A marquee or canopy shall be supported entirely by the building.

3204.5 Roof construction. The roof or any part thereof may be a skylight provided wire glass or laminated glass that complies with section 2405 is used no less than one-fourth ($\frac{1}{4}$ ") inch thick with no single pane more than eighteen (18") inches wide. Every roof and skylight of a marquee or canopy shall be sloped to downspouts which shall conduct any drainage from the marquee under the sidewalk to the curb.

3204.6 Location prohibited. Every marquee or canopy shall be so located as not to interfere with the operation of any exterior standpipe or to obstruct the clear passage of stairways or exits from the building or the installation or maintenance of electroliers."

"Section 3205 is added to the California Building Code to read as follows:

**SECTION 3205
AWNINGS**

3205.1 Definition. For the purposes of this section, the term "awning" is defined as follows:

Awning is a temporary shelter supported entirely from the exterior wall of a building.

3205.2 Construction. Awnings shall have noncombustible frames but may have combustible coverings.

3205.3 Projection. Awnings may extend over public property not more than seven (7') feet from the face of a supporting building, but no portion shall extend nearer than two (2') feet to the face of the nearest curb line measured horizontally. In no case shall the awning extend over public property greater than two-thirds ($\frac{2}{3}$) of the distance from the property line to the nearest curb in front of the building site.

3205.4 Height. Awnings shall not exceed nine (9') feet in height above the lowest extremity of the awning.

3205.5 Clearances. All portions of any awning shall be at least eight (8') feet above any public walkway.

Exception: Any valance attached to an awning shall not project above the roof of the awning at the point of attachment and shall not extend more than twelve (12") inches below the roof of the awning at the point of attachment, but in no case shall any portion of a valance be less than seven (7') feet in height above a public way."

"Section 3206 is added to the California Building Code to read as follows:

**SECTION 3206
DOORS**

Doors, either fully opened or when opening, shall not project beyond the property line. Power-operated doors and their guide rails shall not project over public property."

"Section 3207 is added to the California Building Code to read as follows:

**SECTION 3207
SIGNS**

Signs may project beyond the property line as provided in Chapter 4 of title 10 of the Beverly Hills Municipal Code."

"Section 3208 is added to the California Building Code to read as follows:

**SECTION 3208
FLAGPOLES**

Flagpoles, when permitted, shall project no more than two-thirds ($\frac{2}{3}$) of the distance from the property line to the curb line and shall not be less than twelve (12') feet above the ground or pavement below, including the flag."

"Section 3209 is added to the California Building Code to read as follows:

**SECTION 3209
CORNICES, LIGHTS, AND OTHER ORNAMENTAL PROJECTIONS**

Cornices, lights, and other ornamental projections, when permitted, shall project not more than two (2') feet beyond the property line and shall not be less than eight (8') feet above the ground or pavement below."

"Section 3306.4 of the California Building Code is hereby amended by adding a sentence at the end of section 3306.4 to read as follows:

Railings shall be painted, and maintained painted, in a neutral color."

"Section 3306.5 of the California Building Code is hereby amended by adding a sentence at the end of section 3306.5 to read as follows:

Barriers and fences shall be painted and maintained painted in a neutral color."

"Section 3306.7 of the California Building Code is hereby amended by adding a sentence at the end of the first paragraph of section 3306.7 to read as follows:

The space under the canopy over the walkway and the approaches thereto shall be kept well lighted with artificial lighting continuously between sunset and sunrise. An automatic lighting system shall be used."

"Chapter 36 is added to the California Building Code to read as follows:

CHAPTER 36 HILLSIDE BUILDING DISTRICT

SECTION 3601 HILLSIDE BUILDING DISTRICT ESTABLISHED

There is hereby established a hillside building district in the area designated in the "hillside building district map" as set forth in this code. The specific regulations in this chapter shall apply to the hillside building district.

SECTION 3602 GEOLOGICAL AND FOUNDATION INVESTIGATIONS REQUIRED

3602.1 Investigations required. Prior to issuing a building permit for any new building, structure, or addition to an existing building or structure on a site in the hillside building district where slopes exceed three (3) horizontal to one vertical or where unstable geological or soil conditions are known or suspected to exist, a geological and foundation investigation shall be conducted, and a report shall be submitted to the city building official by a geologist and a civil engineer registered in the state; provided, however, the city building official may issue a building permit for an addition to an existing building or structure without a geological and foundation inspection if such addition is located so as not to be affected by slopes exceeding three (3) horizontal to one vertical.

3602.2 Prerequisites to permit issuance. Where a geological and foundation investigation required by this section indicates the presence of a geological hazard, and evidence indicates mitigating measures can offset or eliminate the hazard, the city building official shall issue a building permit provided all recommended mitigating measures are designed and incorporated into the proposed project and all other requirements of this code and the municipal code are met.

3602.3 Denial of permits. Where a geological and foundation investigation indicates the presence of a geological hazard, and evidence indicates no mitigating measures can offset or eliminate the hazard, the city building official shall deny the issuance of a building permit for the proposed project.

**SECTION 3603
FOUNDATION EMBEDMENT**

Where foundations are placed on natural slopes or uncompacted fill, the foundation shall extend through the natural overburdened or uncompacted fill and rest in undisturbed, unweathered, firm natural base materials. Foundations shall be designed to resist any vertical or lateral movement or overburden or fill.

**SECTION 3604
YARD DRAINAGE**

Surface runoff flowing or collecting on building pads and yards shall be directed to catch basins and non-erosive devices to reduce the hazard of erosion, subsidence, or slippage of the surrounding property. Such devices shall conduct any surface runoff to a street or alley and shall be designed to accommodate a three (3") inch per hour rainfall.

**SECTION 3605
GUTTERS**

Eave gutters and downspouts on structures located in the hillside building district shall be provided to collect all roof water and deposit it in non-erosive devices to a street or alley. Gutters, downspouts, and non-erosive devices shall be sized to accommodate a three (3") inch per hour rainfall."

"Chapter 37 is added to the California Building Code to read as follows:

**CHAPTER 37
ADDITIONAL REQUIREMENTS IN CERTAIN AREAS**

**SECTION 3701
CONSTRUCTION REQUIREMENTS IN COMMERCIAL AND INDUSTRIAL ZONES**

3701.1 Except as provided in section 3702.2, all buildings and structures hereafter erected, constructed, or moved within any commercial or industrial zone shall be of type I, II-A, or III-A construction, and shall comply with other provisions of this code.

3701.2 Occupancies with a floor area of fifteen hundred (1500) square feet or less, and open parking garages shall comply with either section 3701.1 or shall be of type II-B construction.

3702 Walls And Fences In Commercial And Industrial Zones. Any wall or fence built, constructed, or erected within a commercial or industrial zone shall be of noncombustible material.

Exceptions:

1. Protective walls or fences erected for the duration of a construction, demolition or alteration operation may be constructed of combustible material.
2. A temporary wall or fence erected to close the front or rear portion of a business building pending occupancy may be constructed of combustible material provided such opening is filled entirely. Such enclosure shall be permitted to be used for a period not exceeding one year.

**SECTION 3703
SPECIAL REGULATIONS IN VERY HIGH FIRE HAZARD SEVERITY ZONE**

The following special regulations shall be applicable to all building and structures used for human occupancy in the very high fire hazard severity zone as defined in the city's Fire Code.

3703.1 Exterior walls and eaves shall be of one-hour fire-resistive construction.

Exception: Exterior walls products listed in the Cal-Fire Wildland Urban Interface (WUI) Products – Building Materials Listing Program. Listed products must comply with State Fire Marshal Standard 12-7A-1.

3703.2 Buildings or structures constructed over slopes shall have all under-floor and deck areas enclosed, and such enclosures shall be of one-hour fire resistive construction.”

“Section G1102 is added to Appendix G of the California Building Code to read as follows:

SECTION G1102 SPECIAL FLOODING REQUIREMENTS

G1102.1 Purpose. The provisions of this division are intended to promote public safety and welfare by reducing the risk of flood damages in areas prone to flooding.

G1102.2 Scope. Buildings and structures erected in areas prone to flooding shall be constructed as required by the provisions of this division. The base flood elevation shown on the approved flood hazard map is the minimum elevation used to define areas prone to flooding, unless records indicate a higher elevation is to be used. The flood-prone areas are defined in the jurisdiction's floodplain management ordinance.

G1102.3 Definitions. For the purpose of this division, certain terms are defined as follows:

Base Flood Elevation is the depth or peak elevation of flooding, including wave height, having 1 percent chance of being equaled or exceeded in any given year. Base Flood Elevation is the elevation 22.5 inches above adjacent grade in area 1 and 16 inches above adjacent grade in area 2 as determined by the 100 year storm map on file in the department of building and safety.

Flood Hazard Map is a map published by an approved agency that defines the flood boundaries, elevations and insurance risk zones as determined by a detailed flood insurance study.

Hazard Zones are areas that have been determined to be prone to flooding and are classified as either flood hazard zones, A zones, or coastal high-hazard zones, V zones, in accordance with section 1612. Hazard Zones are areas which have been determined by the city to be prone to flooding and are classified as flood hazard zones.

G1102.4 Protection of mechanical and electrical systems. New or replacement electrical equipment and heating, ventilating, air conditioning and other service facilities shall be either placed above the base flood elevation or protected to prevent water from entering or accumulating within the system components during floods up to the base flood elevation. Installation of electrical wiring and outlets, switches, junction boxes and panels below the base flood elevation shall conform to the provisions of the electrical code for such items in wet locations.

G1102.5 Flood hazard zones - A zones.

G1102.5.1 General: Areas that have been determined as prone to flooding by not subject to wave heights of more than 3 feet (914 mm) are designated as flood hazard zones. Building or structures erected within a flood hazard zone shall have the lowest floor, including basement floors, located at or above the base flood elevation.

Exceptions:

1. Except for group R occupancies, any occupancy may have floors below the base flood elevation in accordance with this section.
2. Except for group R occupancies, floors of buildings or structures which are used only for building access, exits, foyers, storage and parking garages may be below the base flood elevation.

G1102.5.2 Enclosures below base flood elevation. Enclosed spaces below the base flood elevation shall not be used with the exception of building access, means of egress, foyers, storage and parking garages. Enclosed spaces shall be provided with vents, valves or other openings that will automatically equalize the lateral pressure of waters acting on the exterior wall surfaces. The bottom of the openings shall not be higher than 12 inches (305 mm) above finish grade. A minimum of two openings per building or one opening for each enclosure below the base flood elevation, whichever is greater, shall be provided. The total net area of such openings shall not be less than 4 square feet (0.37 m²) or 1 square inch for every square foot (0.007 m² for every 1 m²) of enclosed area, whichever is greater.

G1102.5.3 Flood-resistant construction. Buildings or structures of any occupancy other than group R may, in lieu of meeting the elevation provisions, be erected with floors usable for human occupancy below the base flood elevation, provided the following conditions are met:

1. Space below the base flood elevation shall be constructed with exterior walls and floors that are impermeable to the passage of water.

2. Structural components subject to hydrostatic and hydrodynamic loads during the occurrence of flooding to the base flood elevation shall be capable of resisting such forces, including the effect of buoyancy.

3. Openings below the base flood elevation shall be provided with watertight closures and shall have adequate structural capacity to support flood loads acting upon closure surfaces.

4. Floor and wall penetrations for plumbing, mechanical and electrical systems shall be made watertight to prevent flood water seepage through spaces between penetration and wall construction materials. Sanitary sewer and storm drainage systems that have openings below the base flood elevation shall be provided with closure devices to prevent backwater flow during conditions of flooding.

G1102.5.4 Plan requirements for flood-resistant construction. When buildings or structures are to be constructed in accordance with this section, an architect or engineer licensed by the state to practice as such shall prepare plans showing details of the floor wall and foundation support components. Calculations and approved technical data used to comply with the conditions of this section shall also be provided.

G1102.5.5 Elevation certification. A land surveyor, architect or engineer licensed by the state to practice as such shall certify that the actual elevation in relations to mean sea level of the lowest floor, if in a flood hazard zone, or the bottom of the lowest horizontal structural member if in a coastal high-hazard zone, are at or above the minimum elevation when required by the provisions of this section."

"Subsection 2 of Appendix Section J103.2 of the California Building Code is deleted."

"Appendix Section J104.3 of the California Building Code is amended by adding a sentence at the end of section J104.3 to read as follows:

In addition, the geotechnical report shall specify whether methane hazard exists on site. If methane hazard exists, a licensed architect, registered engineer or geologist shall submit a report to the satisfaction of the city building official which includes, but is not limited to, the results of the testing procedure and the proposed mitigation measures."

"Appendix Section J104.5 is added to Appendix J of the California Building Code to read as follows:

J104.5 Slope failure reports. In addition to any other requirements set forth in this chapter, for class I slope failures, the permit applicant shall submit to the building official a combined soils engineering and engineering geology report to address its cause and provide recommended repair methods. For class II

slope failures, the permit applicant shall submit to the building official an engineering geology report to address its cause and provide recommended repair methods. For class III slope failure, unless there exist other conditions which, in the opinion of the building official, require the submission of soils engineering or engineering geology reports, the permit applicant shall not be required to submit such reports.”

“Section J113 is added to Appendix J of the California Building Code to read as follows:

SECTION J113 HAZARDOUS CONDITIONS

J113.1 Notices. Whenever the city building official determines by inspection that any existing excavation or fill or other condition of the soil from any cause has become a menace to life or limb, or endangers property, or affects the safety, usability, or stability of a public way, the owner of the property upon which such excavation, fill, or other condition of the soil is located, or other person or agent in control of such property, upon receipt of a notice in writing from the city building official so to do, within ninety (90) days after the date of such written notice, shall repair and reconstruct such excavation, fill, or other condition of the soil so that it conforms to the requirements of this chapter, or otherwise repair, strengthen, or eliminate such excavation, fill, or other condition of the soil in a manner satisfactory to the city building official to eliminate the danger. The city building official may designate a shorter period of time for elimination of the condition if an imminent and immediate hazard is found to exist.

J113.2 Reports. In the event the owner or other person or agent in control of such property fails to comply with the notice to repair or reconstruct such excavation, fill, or other condition of the soil, the city building official may submit a written report to council requesting authorization to proceed in performing the work specified in such written notice, and assess the costs of such work as a special assessment against the property.

J113.3 Hearings. Upon the receipt of such a report, the council may fix a time, date, and place for a hearing on such report and any protests or objections thereto. At least ten (10) days prior to the hearing a notice of the hearing shall be served by certified mail, postage prepaid, addressed to the owner of the property at his last known address, and to each holder of any security interest in the real property.

J113.4 Authorizing work. On conclusion of the hearing, the council may by resolution confirm the report of the city building official and order the repair or reconstruction of such excavation, fill, or other condition of the soil by the city.

J113.5 Levy and assessment. Upon the completion of the repair or reconstruction of such excavation, fill, or other condition of the soil by the city, the city building official will transmit a final statement of the total direct and indirect costs of such work to the council, which will by resolution fix the time, date, and place for hearing such statement in accordance with the provisions of this code. Upon the date fixed for the hearing, the council will hear the report of the city building official, together with any objections or protests thereto, and may then by resolution order the costs of the work to be paid and levied as a special assessment against the property. The city clerk will then transmit a copy of the resolution to the county auditor-collector directing that the amount designated to be collected concurrently with the next installment of real property taxes on the property involved.”

“Section J114 is added to Appendix J of the California Building Code to read as follows:

SECTION J114 BONDS

J114.1 Bonds required. The city building official may require the posting of a bond prior to issuance of a permit where the nature of the work, if commenced and allowed to remain in an uncompleted state, would create a hazard to human life or endanger adjoining or other property, any street or street improvement, or any other public property. The bond shall be in an amount sufficient to cover the cost of eliminating any dangerous condition or geological hazard if the project is not properly performed or is not completed in a

timely manner. The bond shall comply with the provisions of title 3, chapter 4 of the Beverly Hills municipal code.

J114.2 Right of entry. In the event of any default in any performance of any term or condition of the permit for the work, the surety, or any person employed or engaged on its behalf, or the city building official, or any person employed or engaged on his behalf, shall have the right to go upon the premises to complete the required work or make it safe.

J114.3 Interference prohibited. No person shall interfere with or obstruct the ingress or egress to or from any such premises by any authorized representative or agent of any surety or of the city engaged in completing the work required to be performed under the permit or in complying with the terms or conditions thereof."

Section 4. Sections 9-1-2A01 and 9-1-2A02 of Article 2A of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-1-2A01 and 9-1-2A02 are hereby added to Article 2A of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"9-1-2A01: ADOPTION OF CALIFORNIA RESIDENTIAL CODE: The 2013 edition of the California Residential Code, excluding all appendices except Appendix H, is hereby adopted by reference, subject to the provisions of Section 9-1-2A02, and the same shall be known and may be cited as the Residential Code of the City of Beverly Hills."

9-1-2A02: AMENDMENTS TO CALIFORNIA RESIDENTIAL CODE

The California Residential Code adopted pursuant to Section 9-1-2A01 of this chapter is hereby amended as follows:

"Section R101.1 of the California Residential Code is amended to read as follows:

R101.1 Title. For the city of Beverly Hills, these regulations shall be known as the Beverly Hills Residential Code. The provisions contained in the California Residential Code of the (compiled) California Building Standards Code as defined in section 18910, Health and Safety Code, may be cited as such and are referred to hereafter as 'these regulations' or 'these building standards' or 'this code.' These regulations shall also be collectively known as the 'California Residential Code' as amended by the Beverly Hills Municipal Code."

"Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Automatic fire sprinkler systems. Approved automatic sprinkler systems in new buildings and structures shall be required for all occupancies, except U occupancies which are sheds that are less than five hundred (500) square feet.

Approved automatic sprinkler systems shall be required in all existing buildings if: (i) additions, alterations or repairs are made within any twelve (12) month period which exceed fifty percent (50%) of the value of such existing building, (ii) an addition is constructed which exceeds fifty percent (50%) of the square footage of the existing building, or (iii) an addition of more than five thousand (5,000) square feet is constructed.

R313.1.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

R313.1.2 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section R313.3, NFPA 13 or NFPA 13D."

"Section R313.2 of the California Residential Code is amended to read as follows:

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section R313.3, NFPA 13, or NFPA 13D."

"Section R313.3.1 of the California Residential Code is amended to read as follows:

R313.3.1 General. Where installed, residential fire sprinkler systems, or portions thereof, shall be in accordance with NFPA 13D, NFPA 13, or Section R313.3, which shall be considered equivalent to NFPA 13D. Section R313.3 shall apply to stand-alone and multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall supply domestic water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the water distribution system."

"Section R313.3.1.1 of the California Residential Code is amended to read as follows:

R313.3.1.1 Required sprinkler locations. Sprinklers shall be installed to protect all areas of a dwelling unit."

"Section R314.3.1 of the California Residential Code is amended to read as follows:

R314.3.1 Alterations, repairs and additions. When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the dwelling shall be equipped with smoke alarms located as required for new dwellings. Smoke alarms complying with section R314 shall be installed in all new and existing dwellings."

"Section R314.4 of the California Residential Code is amended to read as follows:

R314.4 Power source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarms shall be interconnected.

Exceptions:

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. Interconnection of smoke alarms in existing areas shall not be required where the *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic*, *crawl space* or *basement* available which could provide access for hard wiring and interconnection without the removal of interior finishes."

"Section R314.5 of the California Residential Code is hereby deleted."

"Section R314.6 of the California Residential Code is hereby deleted."

"Section R319.1 of the California Residential Code is amended to read as follows:

R319.1 Address numbers. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102mm) in height for residential properties and a minimum of 6 inches high for non-residential properties and not less than 0.5 inch (12.7mm) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the city building official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the *public* way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

R319.1.1 Street numbering. The following provisions shall be applicable to street numbering:

1. On the east-west axis, all numbers shall sequence, as much as practicable, with the contiguous east-west streets abutting Los Angeles city and County.
2. On the north-south axis, streets north of Wilshire Boulevard shall be designated with the prefix "North," and streets south of Wilshire Boulevard shall be designated with the prefix "South."
3. Numbers on the northerly and westerly sides of all streets shall end in an odd digit, while numbers on the southerly and easterly sides shall end in an even digit.
4. The city building official shall designate street address numbers, and shall maintain on file a map entitled "Official Numbering Map of The City Of Beverly Hills" which shall depict the official designation of the numbers assigned to property fronting on the various streets in the city.

R319.1.2 Building numbering requirements. The entrances to all buildings from public streets shall have the numbers designated by the city building official conspicuously displayed near the entrance of the structure in a manner that they are in plain view from the street. Structures which have access from a rear alley, in addition to the numbering required by this section, shall for purposes of emergency response, provide numbering and street identification which is clearly visible from the rear alley access in accordance with the following provisions:

1. The name of the street and street number as designated by the city building official shall be visible from the alley and located adjacent to the alley access to the structure.
2. The address markings shall be placed five (5') feet above the alley surface, with numbers four (4") inches in height and letters two (2") inches in height, and placed upon the structure, wall, fence, gate, or other appropriate surface so as to be clearly visible.
3. If any property owner shall fail to provide the address identification required by this subsection on the premises, the city may provide and affix such address identification markings at no cost to the property owner. Where identification markings are provided by the city, no person shall remove, deface, or modify such markings without the written authorization of the city building official.

R319.1.3 Diagram required for six or more dwelling units. Where a building or building complex contains six (6) or more separate dwelling units, a description diagram indicating the identification pattern and location of each dwelling unit shall be posted in a conspicuous manner at the primary entrance of such building or buildings. This requirement of this section shall be included in any building plans submitted for plan check.

R319.1.4 Prohibition against placing numbers on streets, sidewalks, or curbs or displaying improper building numbers. No person shall place, maintain, or cause any number, figure, letter, carving, drawing, design, or other marking upon, or paint, any street, sidewalk, or curb in the city, except as authorized by the city. No person shall place, maintain, or display any address identification number other than as designated by the city building official."

"Section R322.4 is added to the California Residential Code to read as follows:

R322.4 Additional requirements.

R322.4.1 Purpose. The provisions of this division are intended to promote public safety and welfare by reducing the risk of flood damages in areas prone to flooding.

R322.4.2 Scope. Buildings and structures erected in areas prone to flooding shall be constructed as required by the provisions of this division. The base flood elevation shown on the approved flood hazard map is the minimum elevation used to define areas prone to flooding, unless records indicate a higher elevation is to be used. The flood-prone areas are defined in the jurisdiction's floodplain management ordinance.

R322.4.3 Definitions. For the purpose of this division, certain terms are defined as follows:

Base Flood Elevation is the depth or peak elevation of flooding, including wave height, having 1 percent chance of being equaled or exceeded in any given year. Base Flood Elevation is the elevation 22.5 inches above adjacent grade in area 1 and 16 inches above adjacent grade in area 2 as determined by the 100 year storm map on file in the department of building and safety.

Flood Hazard Map is a map published by an approved agency that defines the flood boundaries, elevations and insurance risk zones as determined by a detailed flood insurance study.

Hazard Zones are areas that have been determined to be prone to flooding and are classified as either flood hazard zones, A zones, or coastal high-hazard zones, V zones, in accordance with section 1612. Hazard Zones are areas which have been determined by the city to be prone to flooding and are classified as flood hazard zones.

R322.4.4 Protection of mechanical and electrical systems. New or replacement electrical equipment and heating, ventilating, air conditioning and other service facilities shall be either placed above the base flood elevation or protected to prevent water from entering or accumulating within the system components during floods up to the base flood elevation. Installation of electrical wiring and outlets, switches, junction boxes and panels below the base flood elevation shall conform to the provisions of the electrical code for such items in wet locations.

R322.4.5 Flood hazard zones - A zones.

R322.4.5.1 General. Areas that have been determined as prone to flooding but not subject to wave heights of more than 3 feet (914 mm) are designated as flood hazard zones. Building or structures erected within a flood hazard zone shall have the lowest floor, including basement floors, located at or above the base flood elevation.

Exceptions:

1. Except for group R occupancies, any occupancy may have floors below the base flood elevation in accordance with this section.
2. Except for group R occupancies, floors of buildings or structures which are used only for building access, exits, foyers, storage and parking garages may be below the base flood elevation.

R322.4.5.2 Enclosures below base flood elevation. Enclosed spaces below the base flood elevation shall not be used with the exception of building access, means of egress, foyers, storage and parking garages. Enclosed spaces shall be provided with vents, valves or other openings that will automatically equalize the lateral pressure of waters acting on the exterior wall surfaces. The bottom of the openings shall not be higher than 12 inches (305 mm) above finish grade. A minimum of two openings per building or one opening for each enclosure below the base flood elevation, whichever is greater, shall be provided. The total net area of such openings shall not be less than 4 square feet (0.37 m²) or 1 square inch for every square foot (0.007 m² for every 1 m²) of enclosed area, whichever is greater.

R322.4.5.3 Flood-resistant construction. Buildings or structures of any occupancy other than group R may, in lieu of meeting the elevation provisions, be erected with floors usable for human occupancy below the base flood elevation, provided the following conditions are met:

1. Space below the base flood elevation shall be constructed with exterior walls and floors that are impermeable to the passage of water.
2. Structural components subject to hydrostatic and hydrodynamic loads during the occurrence of flooding to the base flood elevation shall be capable of resisting such forces, including the effect of buoyancy.
3. Openings below the base flood elevation shall be provided with watertight closures and shall have adequate structural capacity to support flood loads acting upon closure surfaces.
4. Floor and wall penetrations for plumbing, mechanical and electrical systems shall be made watertight to prevent flood water seepage through spaces between penetration and wall construction materials. Sanitary sewer and storm drainage systems that have openings below the base flood elevation shall be provided with closure devices to prevent backwater flow during conditions of flooding.

R322.4.5.4 Plan requirements for flood-resistant construction. When buildings or structures are to be constructed in accordance with this section, an architect or engineer licensed by the state to practice as such shall prepare plans showing details of the floor wall and foundation support components. Calculations and approved technical data used to comply with the conditions of this section shall also be provided.

R322.4.5.5 Elevation certification. A land surveyor, architect or engineer licensed by the state to practice as such shall certify that the actual elevation in relations to mean sea level of the lowest floor, if in a flood hazard zone, or the bottom of the lowest horizontal structural member if in a coastal high-hazard zone, are at or above the minimum elevation when required by the provisions of this section.”

“Section R401.4.3 is added to the California Residential Code to read as follows:

R401.4.3 Grading. For the requirements for grading see Appendix J of the 2013 Edition of the California Building Code as amended by Section 9-1-202 of the Beverly Hills Municipal Code.”

“The 2013 California Residential Code is hereby amended by adopting by reference the Technical Amendments as published by the Los Angeles Regional Uniform Regional Code Program (LARUCP), Part II - International Code Council - Los Angeles Basin Chapter published September 5, 2013”

“Section R902.1 of the California Residential Code is amended to read as follows:

R902.1 General. Except as otherwise provided in this section, roof coverings or roof assemblies on any structure regulated by this code shall be a fire-retardant roof covering or roof assembly that is listed as a Class A assembly in accordance with ASTM E 108 or UL 790. In addition, no wood shall be used as a roof covering material. Noncombustible non-wood roof coverings may be applied in accordance with the manufacturer’s requirements in lieu of a fire-retardant roofing assembly.

Exception: Roof repairs of less than 10 percent of the total roof area on existing structures in any one year period may be repaired with a roof covering that meets the same fire retardant standard as the existing roof.”

“Sections R902.1.1, R902.1.2 and R902.1.3 of the California Residential Code are hereby deleted.

“Section R902.1.5 is added to the California Residential Code to read as follows:

R902.1.5 Class A roof covering requirement. Notwithstanding any other requirement of the Beverly Hills municipal code, no later than July 1, 2014, all wood roof coverings in the City of Beverly Hills shall be either: (1) fire retardant Class A; or (2) treated with a fire retardant spray in accordance with Section R902.1.6 and Section R902. 1.7.

Exceptions:

1. Demolition or renovation permit. Property owners with a non-Class A wood roof that, as of July 1, 2014, have applied for or possess a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, shall have until December 31, 2014 to commence such demolition or renovation and remove the non-Class A wood roof; provided however, that such property owner shall submit a signed affidavit, on a form provided by the City, representing that the non-Class A wood roof will be removed by December 31, 2014.

2. Qualified Historical Building or Property. A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills.”

“Section R902.1.6 is added to the California Residential Code to read as follows:

R902.1.6 Fire retardant spray for non-class A wood roofs. If a fire retardant spray is applied on a non-Class A wood roof pursuant to Section R902. 1.5 above, such fire retardant spray shall comply with the current standards of the California State Fire Marshall, including but not limited to ASTM E-84, NFPA 255 and UL 723, and shall be applied by a California licensed contractor, or other qualified applicator. The property owner and certified applicator shall submit a signed affidavit on a form provided by the City indicating the manufacturer’s recommended effectiveness period and the certified applicator’s warranty period. The fire retardant spray shall be repeated before the end of the manufacturer’s recommended effectiveness period or the certified applicator’s certification warranty, whichever is shorter; provided, however, that the fire retardant spray need not be repeated if, before the end of the manufacturer’s recommended effectiveness period or certified applicator’s warranty period, a property owner has applied for or possesses a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, and commences such demolition or renovation and removes the non-Class A wood roof within 180 days from the expiration of such effectiveness or warranty period; provided further however, that the property owner shall submit a signed affidavit, on a form provided by the City, representing that such property owner is not repeating the fire retardant spray because the non-Class A wood roof will be removed within 180 days from the expiration of the manufacturer’s recommended effectiveness period or certified applicator’s warranty period, whichever is earlier, of the existing spray.”

“Section R902.1.7 is added to the California Residential Code to read as follows:

R902.1.7 Permits required. No fire retardant spray shall be applied on a non-Class A wood roof within the City without first obtaining a permit from the City. There will be no charge for such permit, which shall remain valid for the term of the manufacturer’s recommended effectiveness period or the certified applicator’s certification warranty, whichever is shorter. The permit shall state the name of the certified applicator, the approved fire retardant spray material and the permit expiration date. Before a property owner repeats the fire retardant spray in accordance with Section R902. 1.6, such property owner shall renew the permit obtained pursuant to this section.”

“Section R902.1.8 is added to the California Residential Code to read as follows:

R902.1.8 Replacement of non-Class A wood roofs upon sale or transfer. Notwithstanding Section R902. 1.5 of the Beverly Hills Municipal Code, effective after July 1, 2014, all existing non-Class A wood roofs shall be replaced with a fire retardant Class A non-wood roof before the sale or transfer of such property for monetary consideration.

Exceptions:

1. Buyer assumes responsibility. If the Seller and the Buyer agree that the Buyer shall assume responsibility to replace the wood roof and an application for a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof will be submitted, and such demolition or renovation will commence, and such non-Class A wood roof will be removed, within 180 days from the date of title transfer, then the non-Class A wood roof need not be replaced before the sale or transfer of such property, but shall be removed by the Buyer within the 180 day period from the date of title transfer; provided further, that the Seller and Buyer of such property shall submit a signed affidavit, on a form provided by the City, representing that the Buyer will remove the non-Class A wood roof within 180 days from the date of title transfer.

2. Qualified Historical Building or Property. A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills.”

“Chapter 11 is added to the California Residential Code to read as follows:

**CHAPTER 11
ROOF TOP EQUIPMENT**

R1101.1 Equipment enclosures. Operating equipment, including associated ducting, located on the roof of a building shall be enclosed so as to be shielded from view in a horizontal plane or lower and so as to comply with the noise abatement provisions of Chapter 1 of Title 5 of the Beverly Hills Municipal Code. The enclosure finish shall match that of the building exterior walls.”

“Chapter 12 is added to the California Residential Code to read as follows:

**CHAPTER 12
TENTS, AWNINGS, CANOPIES, AND UMBRELLAS**

**SECTION R1201
TENTS, AWNINGS, CANOPIES, AND UMBRELLAS - REQUIREMENTS**

R1201.1 Permits required. No tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city without first obtaining a permit from the city building official. The permit fee shall be as established by resolution of the city council. Unless otherwise authorized by the city building official, no tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city in excess of ten (10) days.

R1201.2 Temporary use. Tents, awnings, or canopies of cloth or pliable material shall be erected only as temporary shelters from the rain or sun and shall not be used as permanent structures or additions to the main building. Except as authorized by the city council or as otherwise specified in the municipal code, such structures shall not be used for the purpose of sheltering goods, wares, or merchandise or for the purpose of engaging in business in any manner thereunder. Such structures shall be permitted only if so constructed and situated, so that in the opinion of the city building official, the structure will not cause a fire hazard or in any other way be dangerous to life, limb, or property.

Exception: The provisions of this section shall not prohibit the covering of materials stored in a yard with fire-retardant tarpaulins.

R1201.3 Restrictions and requirements. Any tent, awning, or other pliable material for which a permit is required under this section shall comply with the following:

- (1) All city code provisions and regulations shall be complied with;

(2) An electrical permit shall be obtained by a duly licensed electrical contractor for any wiring or lighting to be installed;

(3) All plastics used shall display approval by the office of the fire marshal of the state;

(4) All cloth used shall be incombustible or flame-retardant. Flame-retardant materials shall display the name of the treating agency, the date of the flame-retardant application, the type of flame-retardant used, and the flame-retardant certificate;

(5) A testing flap shall be provided for the use of the fire department inspector;

(6) Two (2) means of egress shall be provided for tents or canopies having an area of 1,000 square feet or more. Such means of egress shall be not less than five (5') feet in width and located not less than one-fifth ($\frac{1}{5}$) of the perimeter of the structure apart. Each means of egress shall be provided with exit signs as required by this code."

"Chapter 13 is added to the California Residential Code as follows:

**CHAPTER 13
PERMANENT OCCUPANCY OF PUBLIC PROPERTY**

**SECTION R1301
GENERAL**

R1301.1 No part of any structure, or any appendage thereto, shall project beyond the property line of the building site, except as specified in this chapter and elsewhere in the Beverly Hills Municipal Code.

R1301.2 Structures or appendages regulated by this code shall be constructed of materials as permitted by this code.

R1301.3 The projection of any structure or appendage shall be the distance measured horizontally from the property line to the outermost point of the projection.

R1301.4. No provision of this chapter shall be construed to permit the violation of other laws and ordinances regulating the use and occupancy of public property.

**SECTION R1302
BELOW GRADE**

R1302.1 Below Grade. Portions of buildings or structures below grade shall not project beyond the property line of the building site except as otherwise provided in the Beverly Hills municipal code.

**SECTION R1303
ABOVE GRADE**

R1303.1 Streets And Alleys In Residential Zones. Projections beyond property lines adjacent to streets and alleys in residential zones shall not be permitted."

"Chapter 14 is added to the California Residential Code to read as follows:

**CHAPTER 14
PEDESTRIANS**

**SECTION R1401
PROTECTION OF PEDESTRIANS**

R1401.1 Railings shall be painted, and maintained painted, in a neutral color.

R1401.2 Barriers and fences shall be painted, and maintained painted in a neutral color.

R1401.3 The space under the canopy over the walkway and the approaches thereto shall be kept well lighted with artificial lighting continuously between sunset and sunrise. An automatic lighting system shall be used."

"Chapter 15 is added to the California Residential Code to read as follows:

**CHAPTER 15
HILLSIDE BUILDING DISTRICT**

**SECTION R1501
HILLSIDE BUILDING DISTRICT ESTABLISHED**

There is hereby established a hillside building district in the area designated in the 'hillside building district map' as set forth in this code. The specific regulations in this chapter shall apply to the hillside building district.

**SECTION R1502
GEOLOGICAL AND FOUNDATION INVESTIGATIONS REQUIRED**

R1502.1 Investigations required. Prior to issuing a building permit for any new building, structure, or addition to an existing building or structure on a site in the hillside building district where slopes exceed three (3) horizontal to one vertical or where unstable geological or soil conditions are known or suspected to exist, a geological and foundation investigation shall be conducted, and a report shall be submitted to the city building official by a geologist and a civil engineer registered in the state; provided, however, the city building official may issue a building permit for an addition to an existing building or structure without a geological and foundation inspection if such addition is located so as not to be affected by slopes exceeding three (3) horizontal to one vertical.

R1502.2 Prerequisites to permit issuance. Where a geological and foundation investigation required by this section indicates the presence of a geological hazard, and evidence indicates mitigating measures can offset or eliminate the hazard, the city building official shall issue a building permit provided all recommended mitigating measures are designed and incorporated into the proposed project and all other requirements of this code and the municipal code are met.

R1502.3 Denial of permits. Where a geological and foundation investigation indicates the presence of a geological hazard, and evidence indicates no mitigating measures can offset or eliminate the hazard, the city building official shall deny the issuance of a building permit for the proposed project.

**SECTION R1503
FOUNDATION EMBEDMENT**

Where foundations are placed on natural slopes or un-compacted fill, the foundation shall extend through the natural overburdened or un-compacted fill and rest in undisturbed, un-weathered, firm natural base materials. Foundations shall be designed to resist any vertical or lateral movement or overburden or fill.

**SECTION R1504
YARD DRAINAGE**

Surface runoff flowing or collecting on building pads and yards shall be directed to catch basins and non-erosive devices to reduce the hazard of erosion, subsidence, or slippage of the surrounding property. Such devices shall conduct any surface runoff to a street or alley and shall be designed to accommodate a three (3") inch per hour rainfall.

**SECTION R1505
GUTTERS**

Eave gutters and downspouts on structures located in the hillside building district shall be provided to collect all roof water and deposit it in non-erosive devices to a street or alley. Gutters, downspouts, and non-erosive devices shall be sized to accommodate a three (3") inch per hour rainfall."

"Chapter 16 is added to the California Residential Code to read as follows:

**CHAPTER 16
ADDITIONAL REQUIREMENTS IN CERTAIN AREAS**

**SECTION R1601
SPECIAL REGULATIONS IN VERY HIGH FIRE HAZARD SEVERITY ZONE**

The following special regulations shall be applicable to all building and structures used for human occupancy in the very high fire hazard severity zone as defined in the city's fire code.

R1601.1 Exterior walls and eaves shall be of one-hour fire-resistive construction.

Exception: Exterior walls products listed in the Cal-fire wildland urban interface (WUI) products--building materials listing program. Listed products must comply with state fire marshal standard 12-7A-1.

R1601.2 Buildings or structures constructed over slopes shall have all under-floor and deck areas enclosed, and such enclosures shall be of one-hour fire resistive construction."

Section 5. Sections 9-1-301 and 9-302 of Article 3 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Section 9-1-301 is hereby added to Article 3 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"9-1-301: ADOPTION OF CALIFORNIA ELECTRICAL CODE: The 2013 edition of the California Electrical Code, including all annexes except annex H, is hereby adopted by reference, and the same shall be known and may be cited as the Electrical Code of the City of Beverly Hills."

Section 6. Section 9-1-401 of Article 4 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-401 is hereby added to Article 4 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-401: ADOPTION OF CALIFORNIA MECHANICAL CODE: The 2013 edition of the California Mechanical Code, including all of the Appendices except A and E, is hereby adopted by reference, and the same shall be known and may be cited as the Mechanical Code of the City of Beverly Hills.”

Section 7. Sections 9-1-501 and 9-1-502 of Article 5 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-1-501 and 9-1-502 are hereby added to Article 5 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-501: ADOPTION OF CALIFORNIA PLUMBING CODE: The 2013 edition of the California Plumbing Code, including all of the Appendices except C,F, and L thereto, is hereby adopted by reference, subject to the provisions of Section 9-1-502, and the same shall be known and may be cited as the Plumbing Code of the City of Beverly Hills.”

“9-1-502: AMENDMENTS TO CALIFORNIA PLUMBING CODE:

The California Plumbing Code is hereby amended as follows:

“Section D1.0 Roof Drainage Table D-1 Maximum Rates of Rainfall for Various Cities as set forth in the California Plumbing Code is amended to read as follows:

D 1.0 Roof Drainage.

The rainfall rates in Table D1.1 shall be used for design unless higher values are established locally.

TABLE D-1 Continued Maximum Rates of Rainfall for Various Cities		
States and Cities	Storm Drainage 60-Minute Duration, 100-Year Return	
	Inches / Hour	GPM/Square Foot
CALIFORNIA		
Beverly Hills	3.0	0.031
Eureka	1.5	0.016
Lake Tahoe	1.3	0.014
Los Angeles	2.0	0.021
Lucerne Valley	2.5	0.026
Needles	1.5	0.016
Palmdale	3.0	0.031
Redding	1.5	0.016
San Diego	1.5	0.016
San Francisco	1.5	0.016
San Luis Obispo	1.5	0.016”

Section 8. Sections 9-1-601 and 9-1-602 of Article 6 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Sections 9-1-601 and 9-1-602 are hereby added to Article 6 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-601: ADOPTION OF UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE: The Uniform Swimming Pool, Spa and Hot Tub Code, 2012 Edition, except for Part 1 thereof, published by the

International Association of Plumbing and Mechanical Officials, is hereby adopted by reference, subject to the provisions of Section 9-1-602 of this chapter, and the same may be cited as the Swimming Pool, Spa and Hot Tub Code of the City of Beverly Hills."

"9-1-602: AMENDMENTS TO UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE:

"Section 101.4.1 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

101.4.1. The provisions of this code shall apply to the erection, installation, alteration, repair, relocations, replacement, addition to, use, and maintenance of swimming pools, spas, or hot tub systems within one and two single family residential properties."

"Section 301.5 is added to the Uniform Swimming Pool, Spa and Hot Tub Code to read as follows:

301.5 Swimming Pool Safety Act. Whenever a building permit is issued for construction of a new swimming pool, toddler pool, or spa, or any building permit is issued for remodeling of an existing swimming pool, toddler pool, or spa, at a private, single family home, it shall be equipped with a drowning prevention safety feature and all requirements of the Swimming Pool Safety Act as identified by California Health and Safety Code Sections 115920-115929."

Section 9. Section 9-1-701 of Article 7 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-701 is hereby added to Article 7 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"9-1-701: ADOPTION OF UNIFORM SOLAR ENERGY CODE: The 2012 edition of the Uniform Solar Energy Code, including the Appendices thereto, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference and the same shall be known and may be cited as the Solar Energy Code of the City of Beverly Hills."

Section 10. Sections 9-1-1101 and 9-1-1102 of Article 11 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Sections 9-1-1101 and 9-1-1102 are hereby added to Article 11 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"9-1-1101: ADOPTION OF CALIFORNIA GREEN BUILDING STANDARDS CODE: The 2013 edition of the California Green Building Standards Code, including the Appendices thereto, is hereby adopted by reference, subject to the provisions of Section 9-1-1102, and the same shall be known and may be cited as the Green Building Standards Code of the City of Beverly Hills."

"9-1-1102: AMENDMENTS TO CALIFORNIA GREEN BUILDING STANDARDS CODE:

The California Green Building Standards Code adopted pursuant to Section 9-1-1101 is hereby amended as follows:

"Section 102.1.2 is added to the California Green Building Standards Code to read as follows:

102.1.2 Electronic construction documents. The enforcing agency is authorized to require construction documents, including plans, to be submitted in an acceptable electronic format."

"Section 202 of the California Green Building Standards Code is amended by adding a new definition to read as follows:

LANDSCAPE AREA. The entire lot, including, water features such as pools, spas, ponds, and fountains. 'Landscape area' shall not include the building footprint, driveways, non-irrigated portions of parking lots, hardscapes such as decks and patios, and other nonporous areas."

"Section 202 of the California Green Building Standards Code is amended by adding a new definition to read as follows:

SUSTAINABILITY. Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future."

"Section 4.106.4 is added to the California Green Building Standards Code to read as follows:

4.106.4 Landscape design. Landscaping completed prior to the final inspection shall accomplish one or more of the following:

1. Areas disrupted during construction are restored to be consistent with native vegetation species and patterns.
2. Limit turf areas to the greatest extent possible.
3. Utilize at least 75% native Californian or drought tolerant plant and tree species appropriate for the climate zone region.
4. Hydrozoning irrigation techniques are incorporated into the landscape design."

"Section 4.107 is added to the California Green Building Standards Code to read as follows:

4.107 Electric Vehicle Charging. Install conduit and electrical panel capacity for future electric vehicle parking in accordance with section A5.106.5.3.3."

"Section 4.108 is added to the California Green Building Standards Code to read as follows:

4.108 Prewiring for future solar. Install conduit from the building roof or eave to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter.

4.108.1 Off-grid prewiring for future solar. If battery storage is anticipated, conduit should run to a location within the building that is stable, weather-proof, insulated against very hot and very cold weather and isolated from occupied spaces."

"Section 5.106.11 is added to the California Green Building Standards Code to read as follows:

5.106.11 Electric vehicle charging. Install conduit and electrical panel capacity for future electric vehicle parking in accordance with section A5.106.5.3.3."

"Section 5.106.12 is added to the California Green Building Standards Code to read as follows:

5.106.12 Prewiring for future solar. Install conduit from the building roof or eave to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter.

"Section 5.106.13 is added to the California Green Building Standards Code to read as follows:

5.106.13 Off-grid prewiring for future solar. If battery storage is anticipated, conduit should run to a location within the building that is stable, weather-proof, insulated against very hot and very cold weather and isolated from occupied spaces."

Section 11. Section 9-1-1201 of Article 12 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1201 is hereby

added to Article 12 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-1201: ADOPTION OF CALIFORNIA ENERGY CODE: The 2013 edition of the California Energy Code is hereby adopted by reference, and the same shall be known and may be cited as the Energy Code of the City of Beverly Hills.”

Section 12. Section 9-1-1301 of Article 13 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1301 is hereby added to Article 13 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-1301: ADOPTION OF CALIFORNIA HISTORICAL BUILDING CODE: The 2013 edition of the California Historical Building Code is hereby adopted by reference, and the same shall be known and may be cited as the Historical Building Code of the City of Beverly Hills.”

Section 13. Section 9-1-1401 of Article 14 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1401 is hereby added to Article 14 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-1401: ADOPTION OF CALIFORNIA EXISTING BUILDING CODE: The 2013 edition of the California Existing Building Code is hereby adopted by reference, and the same shall be known and may be cited as the Existing Building Code of the City of Beverly Hills.”

Section 14. Section 9-1-1501 of Article 15 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1501 is hereby added to Article 15 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

“9-1-1501: ADOPTION OF CALIFORNIA REFERENCE STANDARDS CODE: The 2013 edition of the California Reference Standards Code is hereby adopted by reference, and the same shall be known and may be cited as the Reference Standards Code of the City of Beverly Hills.”

Section 15. Sections 9-1-1601 and 9-1-1602 of Article 16 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Sections 9-1-1601 and 9-1-1602 are hereby added to Article 16 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

9-1-1601: ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE: The 2012 Edition of the International Property Maintenance Code published by the International Code Conference, is hereby adopted by reference, subject to the amendments set forth in Section 9-1-1602 of this chapter, and the same shall be known and may be cited as the Property Maintenance Code of the City of Beverly Hills.

9-1-1602: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE:

The International Property Maintenance Code adopted pursuant to Section 9-1-1601 is hereby amended as follows:

“Section 101.1 of the International Property Maintenance Code is amended to read as follows:

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Beverly Hills, hereinafter referred to as ‘this code’.”

“Section 102.3 of the International Property Maintenance Code is amended to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, California Energy Code and California Green Building Standards Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Beverly Hills Municipal Code.”

“Section 103.5 of the International Property Maintenance Code is amended to read as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated by the Beverly Hills Municipal Code and the adopted Schedule of Taxes, Fees and Charges.”

“Section 202 of the International Property Maintenance Code is amended by adding the following definitions:

INTERNATIONAL BUILDING CODE shall mean the California Building Code.

INTERNATIONAL ENERGY CONSERVATION CODE shall mean the California Energy Code.

INTERNATIONAL FIRE CODE shall mean the California Fire Code.

INTERNATIONAL MECHANICAL CODE shall mean the California Mechanical Code.

INTERNATIONAL RESIDENTIAL CODE shall mean the California Residential Code.

INTERNATIONAL PLUMBING CODE shall mean the California Plumbing Code.

NFPA 70 shall mean the California Electrical Code.”

“Section [F]702 of the International Property Maintenance Code is amended to read as follows:

**[F] SECTION 702
MEANS OF EGRESS**

[F]702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the California Fire Code.

[F]7 02.2 Aisles. The required width of aisles in accordance with the California Fire Code shall be unobstructed.

[F]702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the California Building Code.

[F]702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are NOT permitted to be placed over emergency escape and rescue openings.”

“Section [F]704 of the International Property Maintenance Code is amended to read as follows:

**[F] SECTION 704
FIRE PROTECTION SYSTEMS**

[F]704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the California Fire Code

[F]704.1.1 Automatic sprinkler systems. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

[F]704.2 Smoke alarms. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R -2, R -3, R- 4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the California Fire Code.

[F]704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place and buildings that are not served from a commercial power.

[F]704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R -2, R -3, R -4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes."

Section 16. Section 9-1-1701 of Article 17 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1701 is hereby added to Article 17 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

9-1-1701: ADOPTION OF BEVERLY HILLS SOLAR PHOTOVOLTAIC INSTALLATION

GUIDELINES: The 2012 Edition of the Beverly Hills Solar Photovoltaic Installation Guidelines as established by the City of Beverly Hills is hereby adopted and made a part of this Chapter and Title, and the same may be known and may be cited as the Solar Photovoltaic Installation Guidelines of the City of

Beverly Hills. A full, true and correct copy of the Guidelines are available for review in the office of the Building Official.”

Section 17. Sections 9-2-1 and 9-2-2 of Chapter 2 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-2-1 and 9-2-2 are hereby added to Article 1 of Chapter 2 of Title 9 of the Beverly Hills Municipal Code to read as follows:

9-2-1 ADOPTION OF CALIFORNIA FIRE CODE: The 2013 edition of the California Fire Code, including Appendices B, BB, C, CC, D, F, and H, is hereby adopted by reference, subject to the amendments set forth in Section 9-2-2, and the same shall be known and may be cited as the Fire Code of the City of Beverly Hills.

9-2-2 AMENDMENTS TO FIRE CODE: The Fire Code adopted pursuant to Section 9-2-1 is hereby amended as follows:

“Section [A]104.3 of the California Fire Code is adopted without modification as published, to read as follows:

[A]104.3 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the *fire code official* has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the *fire code official* by this code. If such building or premises is occupied, the *fire code official* shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the *owner* or other *person* having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry.

[A]104.3.1 Warrant. When the *fire code official* has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an *owner* or occupant or *person* having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the *fire code official* for the purpose of inspection and examination pursuant to this code.”

“Section [A]104.12 is added to the California Fire Code to read as follows:

[A]104.12 Fire prevention bureau personnel and police. The chief and members of the fire prevention bureau shall each have the powers of a police officer in performing their duties under this code as follows:

1. Members of the fire department may act as peace officers only as permitted by section 830.37 of the California Penal Code. All members of the fire department with the rank of captain or above and all members of the fire prevention bureau who are peace officers as defined in section 830.37 of the Penal Code and members who have been designated by the fire chief as arson investigators and who have satisfactorily completed the courses of training required by section 832 of the Penal Code are designated as peace officers for the purposes of section 171c, 171d, 25450, 25455 and 25850 of the Penal Code while engaged as members of an arson investigating unit, regularly employed and paid as such, in the detection and apprehension of persons who have violated or who are suspected of having violated any fire law, or while exclusively engaged in the enforcement of law as relating to fire prevention and fire suppression.
2. When requested to do so by the chief, the chief of police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.”

"Section [A]106.1 of the California Fire Code is adopted without modification as published, to read as follows:

[A]106.1 Inspection authority. *The fire code official* is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code."

"Section [A]106.2.3 is added to the California Fire Code to read as follows:

[A]106.2.3 Annual inspection. All properties located in the Very High Fire Hazard Severity Zone as identified by the Beverly Hills High Fire Severity Zone shall be inspected annually for compliance with state and local brush clearance requirements by the Fire Official.

All B,M, Multi-Family occupancies and other occupancies as determined by the Fire Code official, shall be inspected at least once in a 2 year period but not more than once a year for state and local fire life safety requirements by the Fire Code Official. Certain occupancies, as determined by the Fire Code Official, shall be inspected annually.

Exception: Compliance Verification Inspections frequency to be determined by the Fire Official as needed."

"Section [A]109.5 is added to the California Fire Code to read as follows:

[A]109.5 Citations. Persons operating or maintaining an occupancy, premises or vehicle or performing work which requires a permit by this code, who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle or who fail to obtain a permit prior to start of work which requires such a permit under this code, when ordered or notified to do so by the chief, shall be guilty of a misdemeanor."

"Section [A]110.1.3 is added to the California Fire Code to read as follows:

[A]110.1.3 Warning signs. Whenever the chief shall determine that warning signs are required in the protection of persons or property from injury due to unauthorized entry into dangerous structures or buildings, he shall order such buildings or structures adequately posted with signs reading, "WARNING UNSAFE DO NOT ENTER BY ORDER OF THE BEVERLY HILLS FIRE DEPARTMENT."

It shall be unlawful for any person to enter or remain within any such posted structures or building, except that public officers acting in the course of duty, and representatives of public or private utilities, shall be exempt from the provisions of this section."

"Section [A]113.1 of the California Fire Code is amended to read as follows:

[A]113.1 Fees. A permit, required by this chapter, shall not be issued until the fees have been paid to the City, nor shall an amendment to a permit be released until the additional fee, if any, has been paid."

"Section [A]113.5 of the California Fire Code is amended to read as follows:

[A]113.5 Refunds. The applicable governing body authority is authorized to establish a refund policy. The refund policy shall be as is established by Section 304.6 of the 1997 Uniform Administrative Code as amended by the City of Beverly Hills."

"Section 305 of the California Fire Code is adopted."

"Section 307, excluding subsection 307.2, of the California Fire Code is adopted."

"Section 307.1.1 of the California Fire Code is amended to read as follows:

307.1.1 Prohibited open burning. Open Flame, open burning, recreational burning, fire in outdoor fireplaces or portable fireplaces that is offensive or objectionable because of smoke emissions or when atmospheric conditions, local circumstances, or in Very-High Fire Hazard Severity Zones make such fires hazardous shall be prohibited”

“Section 308.1.6.3 is added to the California Fire Code to read as follows:

308.1.6.3 Open flame gas fired decorative torches. Open flame decorative appliances shall comply with the following requirements:

308.1.6.3.1 Approvals and permits.

1. Applicant shall first apply to the Beverly Hills Community Development Department, Building and Safety for a permit application, and submit two (2) sets of scale drawings, showing building, property line and public ways. Location of remote shutoff valves should also to be shown.
2. Applicant shall submit one (1) copy of plans to the Fire Department for approval. The torch location, piping, shut offs and clearances shall be shown.
3. If the torch body or flame extends over a public street or sidewalk, applicant shall submit plans for approval to the Community Development Department, Building and Safety.
4. Any electrical wiring shall be installed under electrical permit obtained from Community Development Department, Building and Safety division.

308.1.6.3.2 Installation.

1. All torch burner heads shall be approved by the Fire Department or shall be listed by an approved testing laboratory or agency. Torch burner heads shall be installed a minimum of eight feet from the ground level.
2. A radius of ten feet shall be maintained between the torch burner and combustible materials, including all vegetation.
3. Torch flames shall not exceed 24" inches in length, except by special approval of the Fire Department. Every burner shall be equipped with an approved automatic pilot light and manually controlled shutoff valve located in the main gas supply line.
4. An approved shutoff valve shall be located at or near the base of the torch, and a labeled secondary shutoff valve shall be located at an easily accessible remote location.
5. Minimum pipe size of torch standard shall be 1 inch. If length of torch standard exceeds 8 feet, pipe size shall be not less than 1 1/2 inches.
6. If torch is exposed to mechanical damage or vehicular traffic, adequate protection shall be provided. Torch standards mounted on the ground shall be imbedded 12 inches into a 15 inch cube of concrete or such other standards that will resist equal force.”

“Section 310 of the California Fire Code is adopted.”

“Section 311 of the California Fire Code is adopted.”

“Section 503 of the California Fire Code is adopted.”

“Section 504.1 of the California Fire Code is amended to read as follows:

504.1 Required access. Exterior doors and openings required by this code or the *International Building Code* shall be maintained readily accessible for emergency access by the fire department. An *approved* access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the *fire code official*. Required access shall have locks with exterior key access and an approved, exterior, door opening hardware. Keys for required access shall be made readily available with a Fire Department Knox box.

[California Code of Regulations, Title 19, Division 1,§3.05(b)] Fire Department Access and Egress. (Roofs)

(b) Roofs. No person shall install or maintain any security barrier such as barbed wire fencing, razor wire fencing, chain link fencing or any other fencing material, cable, aerial, antenna or other obstruction on the roof of any commercial establishment in such a manner as to obstruct or render egress or access hazardous in the event of fire or other emergency.

Exception: Guy wire, rods and aerial antenna masts may be attached to a roof structure having a slope of less than 30 degrees provided there is full clearance of seven feet or more between the roof and said obstruction. Guy wire or rods required to support aerial or antenna masts may be attached to a roof structure a lateral distance from the mast not in excess of one-sixth the height of the mast."

"Section 505.1 of the California Fire Code is amended to read as follows:

505.1 Address identification. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102mm) in height for residential properties and a minimum of 6 inches high for non-residential properties and not less than 0.5 inch (12.7mm) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the city building official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the *public* way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

Residential structures which have access from a rear alley, in addition to the numbering required by this section, shall for purposes of emergency response, provide numbering and street identification which is clearly visible from the rear alley access in accordance with the following provisions:

- (1) The name of the street and street number as designated by the city building official shall be visible from the alley and located adjacent to the alley access to the structure.
- (2) The address markings shall be placed five (5') feet above the alley surface, with numbers four (4") inches in height and letters two (2") inches in height, and placed upon the structure, wall, fence, gate, or other appropriate surface so as to be clearly visible.
- (3) If any property owner shall fail to provide the address identification required by this subsection on the premises, the city may provide and affix such address identification markings at no cost to the property owner. Where identification markings are provided by the city, no person shall remove, deface, or modify such markings without the written authorization of the city building official."

"Section 506.1.1 of the California Fire Code is amended to read as follows:

506.1.1 Locks and key switches. An approved key switch or pad lock shall be installed on motorized or lockable gates, perimeter fencing or similar barricades that obstruct access to a property when required by the fire code official."

"Section 604.5.3 is added to the California Fire Code to read as follows:

604.5.3. State mandated annual hi-rise inspections. During all state mandated annual hi-rise inspections, main power shall be disconnected from the building, and the on-site stand-by or emergency generator shall be run during the entire inspection to verify transfer switch operation and the illumination of all exit signs, means of egress lighting, and all other emergency power loads."

"Subsection 901.2.2 is added to the California Fire Code to read as follows:

901.2.2 Hydraulic water calculations. All fire sprinkler systems shall be designed with a 10% safety factor for hydraulic water calculations."

"Section 903.2 of the California Fire Code is amended to read as follows:

903.2 Where required.

A. Approved automatic sprinkler systems in new buildings and structures shall be required for all occupancies, except U occupancies which are sheds that are less than five hundred (500) square feet.

B. Approved automatic sprinkler systems shall be required in all existing buildings if: (i) additions, alterations or repairs are made within any twelve (12) month period which exceed fifty percent (50%) of the value of such existing building, (ii) an addition is constructed which exceeds fifty percent (50%) of the square footage of the existing building, or (iii) an addition of more than five thousand (5,000) square feet is constructed.

C. Areas occupied by the following existing occupancies shall have installed an automatic fire extinguishing system in compliance with this code:

- (1). Throughout all existing eating establishments having a floor area in excess of three thousand (3,000) square feet.
- (2). Throughout bowling alleys.
- (3). Throughout public assembly occupancies having an occupant load of three hundred (300) or more persons. If such occupancies are located above the first floor, the floors below shall be provided with an automatic sprinkler system; provided further, public assembly occupancies of three hundred (300) or more persons placed in buildings existing prior to August 19, 1976, shall not be required to provide an automatic fire-extinguishing system in floors below such occupancy.
- (4). Throughout hotels except those areas used exclusively for lodging.
- (5). Throughout retail sales rooms classified as group M and S occupancies if the floor area of all floors exceeds twelve thousand (12,000) square feet, and in group M and S retail sales and storage occupancies more than three (3) stories in height, and in group M and S occupancies, if such occupancies are located within the same building or structure as group R-I occupancies. The area of mezzanines shall be included in determining the areas where sprinklers are required.
- (6). Nightclubs and discos in rooms primarily used for entertaining occupants who are drinking or dining and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds three thousand (3,000) square feet. For uses to be considered "separated," the separation shall be not less than is required for a one-hour occupancy separation.
- (7). In every story or basement of all buildings if the floor area exceeds fifteen hundred (1,500) square feet and there is not provided at least twenty (20) square feet of opening entirely above the adjoining ground level in each 50 linear feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than thirty (30) inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior. When openings in a story are provided on only one side and the opposite wall of such story is more than seventy-five (75) feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.
- (8). In rooms where nitrate film is stored and handled.
- (9). In protected combustible fiber storage vaults as defined in the fire code.

D. Approved automatic sprinkler systems shall be required for new Ambulatory Health Care Facilities (as that term is defined herein) located in an existing building or portion thereof, and that are classified as a Business Group B or Institutional Group 1-2.1 occupancy."

"Section 903.2.1 through 903.2.10 of the California Fire Code (and the subsections therein) are hereby deleted in their entirety."

"Section 903.2.11 of the California Fire Code is amended to read as follows:

903.2.11 Specific building areas and hazards. In all occupancies other than Group U an *automatic sprinkler* system shall be installed for building design or hazards in the location set forth in Section 903.2.11.1 through 903.2.11.11.”

“Section 903.2.11.7 is added to the California Fire Code to read as follows:

903.2.11.7 Elevator pits. Approved automatic sprinklers shall be provided in new elevator pits.”

“Section 903.2.11.8 is added to the California Fire Code to read as follows:

903.2.11.8 Storage and use of nitrate film. An automatic sprinkler system shall be provided throughout all new and existing rooms where nitrate film is stored and handled.”

“Section 903.2.11.9 is added to the California Fire Code to read as follows:

903.2.11.9 Fiber storage vaults. An automatic sprinkler system shall be provided in new and existing combustible fiber storage vaults as defined in the fire code.”

“Section 903.2.11.10 is added to the California Fire Code to read as follows:

903.2.11.10 Bowling alleys. An automatic sprinkler system shall be provided throughout all new and existing bowling alleys.”

“Section 903.2.11.11 is added to the California Fire Code to read as follows:

903.2.11.11 Balconies and decks. Sprinkler protection shall be provided for exterior overhangs, balconies, decks, and ground floor patios of dwelling units exceeding four (4) feet in width.”

“Section 903.3.1.2 of the California Fire Code amended to read as follows and by deleting subsection 903.3.1.2.1:

903.3.1.2 NFPA 13R Sprinkler Systems. This section is deleted. NFPA 13R systems are not allowed in the City of Beverly Hills.”

“Section 903.3.1.3.1 is added to the California Fire Code to read as follows:

903.3.1.3.1 Double check valve. Two check valves are required to be installed at each fire sprinkler riser in NFPA 13D systems and an approved backflow assembly (DCDA, DCVA, or RPZ) for NFPA 13 systems.”

“Section 903.3.1.3.2 is added to the California Fire Code to read as follows:

903.3.1.3.2 Fire sprinkler riser assemblies. Where fire sprinklers are required, each separate structure shall have fire sprinkler riser assembly with a main control valve, separate domestic valves, identification signage, and exterior horn strobe(s). Appropriate spare sprinklers and wrenches shall be provided in an approved box and location.”

“Section 903.3.7 of the California Fire Code is amended to read as follows:

903.3.7 Fire department connections. The location and size of fire department connection shall be *approved by the fire code official.*”

“Section 903.4 of the California Fire Code is amended to read as follows:

Section 903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for NFPA 13 and 13D automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all NFPA 13 and 13D sprinkler systems shall have all valves locked in the open position as required by the Fire Official and be electrically supervised by a *listed* fire alarm control unit. Where the combination of new and existing sprinkler systems totaling 20 sprinkler heads or more on one property are being modified or altered, the entire sprinkler system shall be monitored off-site by an approved Supervising Station (Central, Remote or Proprietary)

Exceptions:

1. New and existing sprinkler systems with a combined total of 19 heads or less on one property.
2. Electrical supervision of valves on 13D systems shall not be required."

"Section 903.4.2 of the California Fire Code is amended to read as follows:

903.4.2 Alarms. Approved interior audible and audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system in an approved location(s). Approved, exterior audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system and installed in an approved location(s). Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Approved alarm notification appliances shall be provided."

"Section 905.11 of the California Fire Code is amended to read as follows:

905.11 Existing buildings. Existing structures with occupied floors located 3 or more stories above or below the lowest level of fire department access shall be equipped with standpipes installed in accordance with section 905. The standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. The fire code official is authorized to approve the installation of manual standpipe systems to achieve compliance with this section where the responding fire department is capable of providing the required hose flow at the highest standpipe outlet."

"Section 907.2.11.3 of the California Fire Code is amended to read as follows:

907.2.11.3 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. When low-voltage systems are required, the fire official may require additional sounder bases installed. Low voltage systems shall be installed per NFPA 72 fire alarm system requirements."

"Section 907.2.11.4 of the California Fire Code is amended to read as follows:

Section 907.2.11.4 Power source. In existing construction, new construction, and in newly classified group R occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system."

"Section 907.5.2.6 is added to the California Fire Code to read as follows:

907.5.2.6 All use areas. Visible alarm notification appliances shall be provided in all occupied rooms where ambient noise impairs hearing of the fire alarm including but not limited to residential home theaters, public dressing, changing or fitting rooms with full height doors or curtains that obstruct seeing the visible notification appliances, or businesses with rooms where patients await medical care or consultation is provided."

"Section [B]1006.3 of the California Fire Code is amended to read as follows:

[B]1006.3 Emergency power for illumination. The power supply for means of egress illumination shall normally be provided by the premises' electrical supply.

In the event of power supply failure, an emergency electrical system shall automatically illuminate the following areas.

1. Aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress.
2. Corridors, interior exit stairways and ramps and exit passageways in buildings required to have two or more exits.
3. Exterior egress components at other than the level of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.
4. Interior exit discharge elements, as permitted in Section 1027.1, in building required to have two or more exits.
5. Exterior landings, as required by Section 1008.1.6, for exit discharge doorways in buildings required to have two or more exits.
6. Parking Garages.

Exception: Parking Garages for Single Family Residences.

The emergency power system shall provide power for duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 604 of the *California Fire Code*."

"Section [B]1008.1.9.12 of the California Fire Code is amended to read as follows:

[B]1008.1.9.12 Access-controlled elevator lobby egress doors. *When approved by the fire official, the entrance doors within an elevator lobby in a means of egress of midrise and highrise buildings serving offices that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and an approved automatic smoke detection system installed in accordance with Section 907, are permitted to be equipped with an approved entrance and egress access control system which shall be installed in accordance with all of the following criteria:*

1. *The building is provided throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.*
2. *A smoke detector is installed on the ceiling on the tenant side of the elevator lobby doors along the center line of the door opening, not less than 1 foot and not more than 5 feet from the door opening, and is connected to the fire alarm system.*
3. *A remote master switch capable of unlocking the elevator lobby doors shall be provided in the fire command center for use by the fire department.*
4. *Locks for the elevator lobby shall be UL and California State Fire Marshal listed fail-safe type locking mechanisms. The locking device shall automatically release on activation of any fire alarm device on the floor of alarm (waterflow, smoke detector, manual pull station, etc.) All locking devices shall unlock, but not unlatch, upon activation.*
5. *A two-way voice communication system, utilizing dedicated lines, shall be provided from each locked elevator lobby to the 24-hour staffed location on site, annunciated as to location. Operating instructions shall be posted above each two-way communication device.*

Exception: When approved by the fire chief, two-way voice communication system to an off-site facility may be permitted where means to remotely unlock the access controlled doors from the off-site facility are provided.

6. Provide an approved momentary mushroom shaped palm button connected to the doors and installed adjacent to each locked elevator lobby exit door which will release the door locks when operated by an individual in the elevator lobby. The locks shall be reset manually at the door. Mount palm button so that center line is 48 inches (1219 mm) above finish door.

Provide a sign stating:

IN CASE OF EMERGENCY, PUSH PALM
BUTTON. DOOR WILL UNLOCK AND
SECURITY ALARM WILL SOUND.
PROCEED TO EXIT.

The sign lettering shall be 3/4-inch (19.1 mm) high letters by 1/8-inch (3.2 mm) width stroke on a contrasting background.

7. Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors."

"Section [B]1022.9 of the California Fire Code is amended to read as follows:

[B]1022.9 Stairway identification signs. A sign shall be provided at each floor landing in an interior exit stairway and ramp connecting more than two stories designating the floor level, the terminus of the top and bottom of the interior exit stairway and ramp and the identification of the stair or ramp. The signage shall also state the story of, and the direction to, the exit discharge and the availability of roof access from the interior exit stairway and ramp for the fire department. The sign shall be located 5 feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions. Signs shall be installed on the interior of the stairways on each floor and on the exterior door of each stair door at the ground level, to identify each stair landing and indicate the upper and lower termination of the stairway. Floor level identifications and markings shall remain consistent throughout the entire property or building including, but not limited to lobbies, hallways, parking levels, and basement levels.

In addition to the stairway identification sign, raised character and Braille floor identification signs that comply with Chapter 11B shall be located at the landing of each floor level, placed adjacent to the door on the latch side, in all enclosed stairways in buildings two or more stories in height to identify the floor level. At the exit discharge level, the sign shall include a raised five pointed star located to the left of the identifying floor level. The outside diameter of the star shall be the same as the height of the raised characters."

"Section [B]1022.9.1 of the California Fire Code is amended to read as follows:

[B]1022.9.1 Signage requirements. Stairway identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm) by 12 inches (305 mm).
2. The letters designating the identification of the interior exit stairway and ramp shall be a minimum of 1-1/2 inches (38 mm) in height.
3. The number designating the floor level shall be a minimum of 5 inches (127 mm) in height with 3/4-inch (19 mm) strokes and located in the center of the sign. The mezzanine levels shall have the letter "M" preceding the floor level. Basement levels shall have the letter "B" preceding the floor number.
4. All other lettering and numbers shall be a minimum of 1 inch (25 mm) in height.
5. The stairway's upper terminus, such as ROOF ACCESS or NO ROOF ACCESS, shall be placed under the stairway identification in 1-inch-high (25 mm) block lettering with 1/4-inch (6 mm) strokes.
6. The lower and upper terminus of the stairway shall be placed at the bottom of the sign in 1-inch-high (25mm) block lettering with 1/4 inch (6 mm) strokes.

7. Characters and their background shall have a nonglare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.
8. When signs required by Section 1022.8 are installed in interior exit enclosures of buildings subject to Section 1024, the signs shall be made of the same materials as required by Section 1024.4.
9. Signs shall also be installed on the exterior of all ground level stairway doors.

"Section 1030.10 is added to the California Fire Code to read as follows:

1030.10 Existing unsafe means of egress. The Building Official or Fire Official may require unsafe means of egress requirements to comply with Section 1008, when the minimum number of exists are not readily available or are restricted during an emergency."

"Section 1030.11 is added to the California Fire Code to read as follows:

1030.11 Fire escape maintenance. Fire escapes shall be kept clear and unobstructed at all times and shall be maintained in a good working order."

"Section 3103.2 of the California Fire Code is amended to read as follows:

3103.2 Approval required. Tents and membrane structures having an area in excess of forty (40) square feet and canopies in excess of forty (40) square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official."

"Section 3103.5 of the California Fire Code is amended to read as follows:

3103.5 Use period. Unless otherwise authorized by the city building official, no tent, awning, canopy or temporary membrane structure in excess of forty (40) square feet shall be erected or maintained on private property within the city in excess of ten (10) days."

"Section 3103.6 of the California Fire Code is amended to read as follows:

3103.6 Construction documents. A detailed site and floor plan for tents or membrane structure 40 square feet or more shall be provided with each application for approval. Applications for approval shall be provided to the reviewing authority 10 days before the tent or membrane structure is to be erected. The tent or membrane structure floor plan shall indicate details of means of egress facilities, seating capacity, arrangement of the seating and location and type of heating and electrical equipment."

"Section 5601.2 is added to the California Fire Code to read as follows:

5601.2 Fireworks prohibited. No person shall manufacture, store, offer for sale or discharge any fireworks in the city; provided further, fireworks may be discharged in conjunction with a city sponsored event."

"Section 4904.3 is added to the California Fire Code to read as follows:

4904.3 Very High Fire Hazard Severity Zone Map. The City of Beverly Hills city council hereby designates very high fire hazard severity zones as recommended by the director of the California Department of Forestry and Fire Protection and as designated on a map titled very high fire hazard severity zone, May 1, 2008 and retained on file at the office of the fire marshal, 445 North Rexford Drive."

"Section 4902.1 of the California Fire Code is amended by adding the following definitions:

VEGETATIVE GROWTH. Any native brush, or weeds, or grass, or specimen native shrub, or any live, or dead organic material as designated by the fire chief.

VERY HIGH FIRE HAZARD SEVERITY ZONE. That area included within the boundaries described and set forth in a map maintained by the fire chief on file in the office of the fire prevention bureau.

NATIVE BRUSH. All varieties of vegetative growth other than trees, that are indigenous to and found within the very high fire hazard severity zone except those plants that are identified as 'fire resistive plants' in a list established and maintained by the fire chief.

NON-VERY HIGH FIRE HAZARD SEVERITY ZONE. That area within the city limits not included within the boundaries described and set forth in a map maintained by the fire chief on file in the office of the fire prevention bureau.

SPECIMEN NATIVE SHRUB. An individual shrub that is within the definition of 'native brush' and that is trimmed up one-third of its height or six (6') feet above the ground, whichever is less, and from the vicinity of which has been removed all dead wood, duff, and combustible litter; and that is not among those plants identified as 'extremely hazardous native brush' in a list established and maintained by the fire chief.

STRUCTURE. That which is built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

FUEL MODIFICATION ZONE. The area existing between one hundred (100') feet and two hundred (200') feet, in any direction from any structure, unless otherwise specified by the chief."

"Section 4906.2 of the California Fire Code is amended to read as follows:

4906.2 Application. Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1. Moderate Fire Hazard Severity Zones
 - 1.2. High Fire Hazard Severity Zones
 - 1.3. Very-High Fire Hazard Severity Zones
2. Land designated as Very-High Fire Hazard Severity Zone by the Beverly Hills High Fire Zone Map shall comply with section 4906.3.2.
3. Land not designated as Very-High Fire Hazard Severity Zone of the Beverly Hills High Fire Zone Map shall be known as Non-High Fire Hazard Severity Zones and shall comply with Chapter 49 and Beverly Hills amendments of the California Fire Code."

"Section 4906.3.1 and 4906.3.2 are added to the California Fire Code to read as follows:

4906.3.1 Very high fire hazard severity zone required maintenance. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining very high fire hazard severity zone fire areas, and persons owning, leasing or controlling land adjacent (within 200 feet) to such buildings or structures, shall at all times comply with the following requirements:

1. Maintain all native brush, weeds, grass, and hazardous vegetation situated within one hundred feet (100') of ANY structure, regardless of whether said structure is located upon such land or upon adjacent land shall be maintained at a height of not more than three inches (3") above the ground.
2. Reduce the fuel load within the fuel modification zone (100' to 200') around any structure regardless of whether said structure is located upon such land or upon adjacent land.
Exception: Specimen native shrubs may be retained throughout the first 100 feet provided they are: spaced at a distance not less than eighteen feet (18') from other native shrubs, brush or

structures; maintained free of dead wood and litter; and trimmed up at least six feet (6') from the ground or 1/3 of their height, whichever is less.

3. Maintain all native brush, weeds, grass and hazardous vegetation within ten feet (10') of any combustible fence shall be maintained at a height of not more than three inches (3") above the ground.
4. Remove all trees, shrubs, bushes, and other growing vegetation or portions thereof, adjacent to or overhanging any structure shall be kept free of dead limbs, branches, and other combustible matter.
5. Maintain all trees shall be trimmed up five feet (5') from the ground and maintained so that no portion is closer than ten feet (10') from the outlet of any chimney.
6. Maintain five feet (5') of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.
7. Maintain all roof structures shall be kept free of substantial accumulations of leaves, needles, twigs, and other combustible matter.
8. Remove all cut vegetation and debris and legally disposed of. All vegetation, native or otherwise, shall be maintained so as not to constitute a fire hazard or public nuisance.
9. Clear all hazardous vegetation and other combustible growth within the first 100 feet surrounding all structures. Reduce the amount and/or modify the arrangement of hazardous vegetation within the fuel modification zone.
10. Prune the branches from the lower third of any native plants kept in this area. If the plant is over 18 feet in height, only the lower six feet (6') must be pruned. Heavy brush must be 'trimmed up' so that all foliage in the lower third of the plant is removed. Remove any dead plants (leave the lowest 3" and root structure to help prevent erosion.)
11. Remove dead material from live plants, trees, or other vegetation.
12. Remove or process all cut vegetation as follows: may be machine processed and left on the property to a maximum depth of three inches (3"), so long as none of the material is left within one hundred feet (100') of any structure. Machine processed material shall not be placed within ten feet (10') of usable road surfaces or driveways.
13. Maintain all landscape vegetation, including, but not limited to, conifers (e.g., cedar, cypress, fir, juniper, and pine), eucalyptus, acacia, palm and pampas grass in such a condition as not to provide an available fuel supply to augment the spread or intensity of a fire.

4906.3.2 Non-very high fire hazard severity zone required maintenance. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining High or Moderate fire hazard severity zones fire areas, and persons owning, leasing or controlling land adjacent (within 200 feet) to such buildings or structures, shall at all times comply with the following requirements:

1. Remove all trees, shrubs, bushes, and other growing vegetation or portions thereof, adjacent to or overhanging any structure shall be kept free of dead limbs, branches, and other combustible matter.
2. Maintain all roof structures shall be kept free of substantial accumulations of leaves, needles, twigs, and other combustible matter.
3. Remove all cut vegetation and debris and legally disposed of. All vegetation, native or otherwise, shall be maintained so as not to constitute a fire hazard or public nuisance.
4. Remove dead material from live plants, trees, or other vegetation.
5. Maintain all landscape vegetation, including, but not limited to, conifers (e.g., cedar, cypress, fir, juniper, and pine), eucalyptus, acacia, palm and pampas grass in such a condition as not to provide an available fuel supply to augment the spread or intensity of a fire."

"Section 4906.4 is added to the California Fire Code to read as follows:

4906.4 Authority of the Fire Chief to modify brush clearing requirements. If the fire chief determines in any specific case that difficult terrain, danger of erosion, or other unusual circumstances make strict compliance with the clearance of vegetation provisions of this section undesirable or impractical, he may suspend the enforcement thereof and require reasonable alternative measures. Nothing contained in this subsection shall be deemed to preclude the chief from requiring more than the minimum specific

requirements set forth above when the chief determines that conditions exist which necessitate greater fire protection measures.”

“Section 4906.5 is added to the California Fire Code to read as follows:

4906.5 Issuance of brush clearance notice. In addition to any other remedies for violations provided by law, including those remedies set forth in this code, the fire department may issue a "vegetation clearance notice" to the record owner and any tenant, lessee or other possessor of the affected properties, specifying the condition(s) required to be corrected, and setting forth a date by which corrective action must be taken. The fire department may take corrective action at the owner's expense in the event the required correction is not completed. If the owner fails to pay the cost incurred by the fire department to correct such condition(s) following notice of the cost and an opportunity to be heard, the city council may make the expense a lien upon the property where such condition exists.”

“Section 4906.6 is added to the California Fire Code to read as follows:

4906.6 Clearance of brush or vegetative growth from roadways. All native brush, weeds, grass and hazardous vegetation situated within ten (10') feet of the outer edge or edges of the usable road surface of any highway, street, alley or driveway serving more than one residence shall be maintained at a height of not more than three (3") inches above the ground.”

Section 18. Penalty. Except where specified to be an infraction, violation of any provision of this Ordinance or any Code adopted herein by reference shall constitute a misdemeanor and shall be punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Ordinance.

Section 19. Civil Remedies. The violation of any of the provisions of this Ordinance or any Code adopted herein by reference shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.

Section 20. Severability. The City Council declares that, should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

Section 21. The City Clerk shall certify to the adoption of this Ordinance.

Section 22. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage, and shall become operative on January 1, 2014.

Adopted: _____

JOHN A. MIRISCH
Mayor of the City of
Beverly Hills, California

ATTEST:

BYRON POPE
City Clerk

(SEAL)

APPROVED AS TO FORM:



LAURENCE SUWENER
City Attorney

APPROVED AS TO CONTENT:

JEFF C. KOLIN
City Manager



SUSAN HEALY KEENE
Director of Community Development



RALPH MUNDELL
Fire Chief